

URBAN/MUNICIPAL

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AGENDAS OF THE MEETING
OF THE COUNCIL OF
HAMILTON

Nov. 10/92 -



MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1992 November 10
7:30 o'clock p.m.
Council Chambers, City Hall

S. G. Hollowell
Acting City Clerk

AGENDA

1. *National Anthem*

2. *Opening Prayer*

Reverend Dr. John Allsop
St. John's United Church

3. *Presentations*

- (a) *Certificate of Recognition - Pat Dillon*
- (b) *Civic Awards - Hamilton Hoppers Skipping Team*

4. *Minutes*

- (a) *1992 October 27*
- (b) *1992 October 29 (Special Meeting)*

5. *Petitions and Correspondence*

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GOV. 'MENT DOCUMENTS'

6. *Reports of the Standing Committees*

- (a) *Transport and Environment Committee*
- (b) *Parks and Recreation Committee*
- (c) *Planning and Development Committee*
- (f) *His Worship Mayor Robert M. Morrow*
- (h) *Finance and Administration Committee*

7. *Notices of Motion for Next Meeting*

8. *First Reading of the Bills*

9. *Second Reading of the Bills - Committee of the Whole*

10. *Third Reading of the Bills*

11. *Question Period*

12. *Adjournment*

MINUTES

Minutes of Hamilton City Council
1992 October 27
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman D. Drury - Civic Business

City Council commenced with the playing of the National Anthem.

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Dr. B. Pathak, Hindu Samaj Temple led Council in prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition to Ryan Paquette on the occasion of receiving the Richelieu International Person of the Year Award.

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Mayor R. M. Morrow proclaimed the following:

- (a) Enchantment Under the Sea (Mum Show) - 1992 October 31 to November 15th
- (b) Mohawk College Week - 1992 November 1st to 8th.
- (c) Zonta International Day - 1992 November 8th
- (d) Diabetes Month - 1992 November

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The minutes of the meeting held 1992 October 13 were adopted as circulated.

* * * * *

Correspondence:

1. Letter dated 1992 October 26 from Hazell Ross-Lampietro respecting Second Level Lodging Licence Application for 185 Delaware Avenue, Hamilton, Ontario.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT
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Section 7 Re: Promotional Banner Across Main Street West for the Third National Conference on Disaster Management

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 8 Re: Promotional Banner Across Main Street West for the Canadian Christian Festival IV

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 28 Re: Construction of Independent Concrete Sidewalks on the west side of Upper Paradise Road - from Stone Church Road and the North side of Limeridge Road from Upper Wellington St.

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 28 of the Eleventh Report of the Transport and Environment Committee be referred back.

CARRIED.

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Section 29 (a) ii Re: Construction of Concrete Curb on Upper Kenilworth Avenue - East Side from Landron Avenue to Limeridge Road

It was moved by Alderman Charters and seconded by Alderman Jackson that section 29 (a) ii of the Eleventh Report of the Transport and Environment Committee be tabled for two weeks. **CARRIED.**

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

Section 1 Re: Issuance of Purchase Order to Memphis-Kendall Builders Inc. for the construction of new tennis club for the Hamilton Tennis Club

It was moved by Alderman Jackson and seconded by Alderman Copps that Section 1 of the Nineteenth Report of the Parks and Recreation Committee be referred back.

CARRIED.

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Section 5 Re: Capital Grant to McMaster University for upgrading campus sports fields

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

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PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

Section 9 Re: A.M.O.'s response to the Provincial Government Policy Paper on Apartments in Homes

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Merling -1.

CARRIED.

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It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution dealing with the issuance of five demolition permits. **CARRIED.**

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that the Eighteenth Report of the Planning and Development Committee for 1992 be amended by adding Section 17 as follows:

17. That the Building Commissioner be authorized to issue a demolition permit for:

- (a) 336-338 Jackson Street West
- (b) 2 Solidarnosc Place
- (c) 4 Solidarnosc Place
- (d) 4A Solidarnosc Place
- (e) 4 1/2 Solidarnosc Place

CARRIED.

* * * * *

Re: Section 7 of the Seventeenth Report of the Planning and Development Committee respecting the Rental Housing Protection Act Application at 515 Main St. East, Hamilton

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 7 of the Seventeenth Report of the Planning and Development Committee for 1992 which was previously tabled by City Council at its meeting held 1992 October 13 be now lifted from the table for consideration.

7. A. That approval be given to Rental Housing Protection Act Application CD-92-001, Oswald Delkus, principal of registered owner, 542052 Ontario Limited, for conversion of 21 rental residential units to 21 residential condominium units at 515 Main Street East, Hamilton, as the proposed development will not adversely affect the supply of affordable rental housing in Hamilton, provided the owner fulfills the following conditions:

- (a) That the applicant offer to the remaining tenants in the three bedroom unit known as Apartment No. 3, namely Mr. Robert Balansche and

Mrs. Ruth Balansche, the opportunity to continue renting their unit for as long as they wish, at the rent rate now paid, namely \$357.00 per month, provided that such rent shall not be increased by reason of the alterations to convert the building to a condominium, but that the rent may be increased as otherwise permitted at law;

- (b) That the applicant also offer the present tenants, namely Mr. and Mrs. Balansche, the option to purchase their unit, Apartment No. 3, within three years of registration of the new condominium, at a price to be negotiated not in excess of \$55,000.00 (fifty-five thousand dollars); and,
 - (c) That the owner agree to cause the new condominium corporation to enter into an agreement with the City to assume these obligations;
 - (d) That the applicant be requested to prepare an Approval Agreement incorporating the conditions of approval, in a form satisfactory to the Director of Local Planning and the City Solicitor. This Agreement is to be executed by the Mayor and City Clerk.
- B. That the City Clerk execute the Certificate of Approval in a form satisfactory to the City Solicitor, pursuant to Section 13(8) of the Rental Housing Protection Act, 1989 after the owner's Agreement incorporating the conditions of approval has been registered on title to 515 Main Street East by the owner.

CARRIED.

<p>CITY OF HAMILTON LICENSING COMMITTEE - SEVENTH REPORT</p>

Section 2 Re: Cab Drivers Licence Application - Thomas Lebrun -35 Rosemount

It was moved by Alderman Cooke and seconded by Alderman Agostino that section 2 of the Seventh Report of the Licensing Committee be referred back. **CARRIED.**

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Section 3 Re: Hairdresser Licence Application of Elvira Krackovic - 533 Main St. E.

It was moved by Alderman Cooke and seconded by Alderman Agostino that section 3 of the Seventh Report of the Licensing Committee be referred back. **CARRIED.**

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FINANCE AND ADMINISTRATION COMMITTEE - TWENTY FIRST REPORT

Section 5 (b) Re: Concrete Curb - Upper Kenilworth East Side from Landron Avenue to Limeridge Road

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-section (b) of Section 5 of the Twenty First Report of the Finance and Administration Committee be tabled for two weeks. **CARRIED.**

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Section 15 Re: Amendment to Fire Department Act respecting Binding Arbitration

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.
-15.

NAYS: Alderman Wilson -1.

CARRIED.

RESOLUTIONS

It was moved by Alderman Copps and seconded by Alderman Morelli that the Mayor be requested to write to the Minister of Tourism and Recreation for an explanation as to why Hamilton Place was not included in "Theatre in Ontario" marketing in the United States.
CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Cooke be appointed Acting Mayor for the month of November, 1992. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:20 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 October 27

Minutes of the Special Meeting
of Hamilton City Council
Thursday, 1992 October 29
11:25 o'clock a.m.
Webster Room "C"
Hamilton Convention Centre

The Council met.

Present: Mayor Robert M. Morrow, Chairman
Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling,
Anderson, D'Amico, Ross.

Absent: Alderman McCulloch - civic business
Alderman Drury - civic business
Alderman Morelli - civic business
Alderman Charters - regional business
Alderman Jackson - family illness

It was moved by Alderman Cooke and seconded by Alderman Merling that sub-section 4 of Section 2 of the City's Procedural By-law No. 82-203 requiring written notice of a Special Meeting by the City Clerk be invoked in order to permit City Council to meet to consider a resolution dealing with Market Value Assessment. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Merling that the Resolution be now considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino,
Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Merling that City Council advise the Region and Provincial Government that due to the depressed economy and general uncertainty in the community that it is an inappropriate time to consider any changes to the present system of Market Value Assessment and that City Council is opposed to any further consideration of this matter during the present term of City Council.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the resolution be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that leave be granted to introduce Bill H-67: A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Bill H-67 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into the Committee of the Whole to consider Bill H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bill (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

1992 October 29

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on Bill H-67 be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss that Bill H-67 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

The meeting adjourned at 11:30 o'clock a.m.

Taken as read and approved

Mayor R. M. Morrow

J. J. Schatz
City Clerk

1992 October 29

CORRESPONDENCE

Correspondence:

1. Letter dated 1992 November 5 from Delmar Drive Petitioners respecting parking signs placed on Delmar Drive, east of Laurier Avenue in the Buchanan Park Survey.

Recommendation: Be Referred to the Transport and Environment Committee.

2. Application dated 1992 November 3 from G. Sebastianing, 10 Hempstead Drive, Unit 6, Hamilton, Ontario for a further modification to the "M-14" (Prestige Industrial) District regulations for property at 10 Hempstead Drive, Unit 6, Hamilton, Ontario.

Recommendation: Be Recieved.

3. Application dated 1992 November 3 from Enrico Mancinelli and Ricardo Persi, 16 Woodside Drive, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "D" (Urban Protected - One and Two Family, Dwellings, Townhouses, etc.) District for property at 1340, 1342 and 1348 Upper Sherman Avenue, Hamilton, Ontario.

Recommendation: Be Received.

4. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-242 regarding property located at the south east corner of Stone Church Road East and Upper Wentworth Street, Hamilton, Ontario. (previously distributed).

Recommendation: Be Received.

5. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-243 regarding property located at 1630 Upper Gage Avenue and 867 Rymal Road East, Hamilton, Ontario. (previously distributed)

1.

November 5, 1992

TO: ALL CITY COUNCIL MEMBERS

AND: MAYOR MORROW

Please consider this letter as a follow-up of the Meeting of Transport and Environment which commenced at 9:30 a.m. on November 2nd in Room 233 at the City Hall.

A Petition regarding parking signs to be placed on Delmar Drive, east of Laurier Avenue in the Buchanan Park Survey had been circulated to all members of City Council for their perusal and consideration. In a non-democratic way this Petition was shelved for further study even though the signature count was 23 in favour and 1 opposed. It was observed by the neighbourhood delegation in attendance that one Council member, namely Mr. Agro questioned why this Petition should not be approved when the number in favour was so apparent.

Mr. D'Amico stated that he and Alderman Ross do things differently in Ward 8 and they proposed a public meeting to include residents of West 1st, 2nd, 3rd and 4th Streets. Mr. C. Manary took it upon himself to inspect these streets and found that the said streets already have various parking instructions in place. This should eliminate this particular area from this unnecessary study. It is apparent that someone has not done their homework!!! We would like to draw your attention to the fact that the other end of Delmar Drive already has parking instructions in place; and therefore ask that you do not discriminate against us who are also taxpayers on the same street. Mr. D'Amico also indicated in his response that representatives from the Fire Dept., Police Dept., and Mohawk College would be invited to the proposed public meeting another waste of taxpayers' time and money.

You may be interested to learn that the garbage pick-up trucks are also hindered by the parked cars on both sides of the street. On Tuesday, Nov. 3rd, two Delmar Drive residents witnessed a street and sanitation employee walking in front of the garbage truck picking up garbage bags from the various houses. He then placed all this gathered garbage in front of a parked car adjacent to the driveway at 189 Delmar Drive where all this garbage was finally picked up by the truck. We feel this situation must be frustrating and aggravating for the street and sanitation employees as well as the residents.

We sincerely hope that the applicants of the Petition are notified in a reasonable time period of the date and time of this proposed public meeting to be held in the near future. This is of great concern to us as we would like this matter resolved, and signs placed before the winter weather conditions set in. With cars parked on both sides of this short curved street, it is already hazardous even without snow and ice.

We look forward to the opportunity of speaking on this issue and presenting our views, and it is our fervent hope that we will be listened to, and treated in the same fair manner as our neighbours on this same street, namely DELMAR DRIVE.

Sincerely,

DELMAR DRIVE PETITIONERS

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Rosslyn Avenue North commencing at a point 241 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the east side of Frederick Avenue commencing at a point 72 feet north of Britannia Avenue and extending to a point 21 feet northerly therefrom; and
(b) That a "Permit Parking" regulation be implemented on the west side of Frederick Avenue commencing at a point 72 feet north of Britannia Avenue and extending to a point 22 feet northerly therefrom; and
(c) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Callaghan, No. 62 Frederick Avenue; and
(d) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of West Avenue South commencing at a point 76 feet north of Hunter Street East and extending to a point 20 feet northerly therefrom be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Province Street North, commencing at a point 101 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

5.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 130 feet north of Cannon Street East and extending to a point 27 feet northerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Maria Cino, No. 435 Cannon Street East; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
6.
 - (a) That the existing "No Stopping" regulation on the north side of Rebecca Street commencing at Ferguson Avenue North and extending to a point 108 feet easterly, be removed and that one "one hour parking meter" be installed in this area; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Courtland Avenue; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That westbound traffic on Gildea Street be required to stop for northbound and southbound traffic on East 25th Street; and
 - (b) That westbound traffic on Seeley Avenue be required to stop for northbound and southbound traffic on East 25th Street; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
9. That the application of Mr. Bill Pentilchuk to lease a portion of the boulevard of Balmoral Avenue North adjacent to No. 1145 Main Street East be approved, provided that:
 - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$58.81 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$176.44 processing fee, as approved by the City Council on 1988 January 12.

- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
10. That the application of Mr. Ted Vietri to lease a portion of the boulevard of East 35th Street adjacent to Nos. 8 to 14 and 24 to 30 East 35th Street be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current annual rate is \$58.81 for the first two spaces and \$29.41 for each additional space up to 10 spaces per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$176.44 processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

11. (a) That in accordance with the request by the Hamilton Street Railway Company:
 - i. the following new bus stop be approved:

Route 5 Delaware

Inbound - add - Greenhill Avenue, north side, 30 feet east of the east curb line of Summercrest Drive (N/S).
 - ii. the removal of the following bus stop be approved:

Route 5 Delaware

Outbound - delete - Greenhill Avenue, south side, opposite Summercrest Drive bus loop, 30 feet east of the east curb line of Summercrest Drive (N/S).
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
12. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A" attached hereto, be approved:
 - (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.

1992 November 10

13. (a) That By-law No. 92-152 be amended by substituting all references to Plan 62R-11929 to Plan 62R-11979.
- (b) That the by-law to carry out the amendment be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
14. (a) That the City lands known as Part 2, Plan 62R-12045 be incorporated into Elite Drive (File No. S718-67) as follows:

Street Name	Description of Lands Being Incorporated	Reason for Being Incorporated	Financial Implications
Elite Drive	Part of Lot 10, Con. 8 (former geographic Township of Barton) designated as Part 2 Plan 62R-12045	To provide access and hook-up between Elite Drive (as est'd City of Hamilton By-law 92-42) and Elite Drive as est'd by Plan 62M-715	N/A

- (b) That the by-laws to carry out the amendment be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
15. That purchase orders be issued for the provision of equipment and operators as and when required during the 1992-1993 and 1993-1994 winter season, in accordance with specifications issued by the Manager of Purchasing and Vendors' quotations, and that these expenditures be financed through various approved accounts, as follows:

<u>Nucan Contracting & Excavating</u>	<u>1992-1993</u>	<u>1993-1994</u>
1 Loader with 4 cu. yd. bucket	\$ 82.00	\$ 87.00
<u>Cormar Contracting</u>		
2 Loaders with 4 cu. yd. buckets	\$110.00	\$115.00
<u>N-R-G- o/a 989847 Ontario Ltd.</u>		
1 Grader with Snow Plow & Wing	\$140.00	\$140.00
Hourly rates GST extra at 7%		

16. That City Council enact the By-law to authorize construction of local improvements of sidewalks on Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from approximately 86 m south of Skyview Drive to approximately 83 m southerly.
17. That the Board of Education for the City of Hamilton, the Hamilton-Wentworth Roman Catholic Separate School Board and the Wentworth County Board of Education be requested to investigate the feasibility of co-ordinating Professional Development days for elementary schools within the Hamilton-Wentworth Region.
18.
 - (a) That an Offer to Purchase, executed by Regional Officials on 1992 October 13, and scheduled for closing on or before 1993 January 12, for the purchase by the Region of a parcel of land located along the northerly limit of King Street East west of Pottruff Road, containing 7.812 hectares (19.66 acres), shown as Parts 1, 2, 3 and 4 on Plan 62R-12235 required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$83,800. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (b) That an Offer to Purchase, executed by Regional Officials on 1992 October 13, and scheduled for closing sixty (60) days after the enactment of a by-law to sell the closed road allowance shown as Parts 2, 3 and 7 on Plan 62R-11800, for the purchase by the Region of a closed road allowance, containing 0.418 hectare (1.03 acres), shown as Parts 2, 3 and 7 on Plan 62R-11800 required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$148,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (c) That the sum of \$90,000. be deducted from the total sale price of sub-sections (a) and (b) above of \$231,800. to repay the Region for monies provided by the Region to the City in order to undertake the Red Hill Creek Master Recreation Plan Investigation, with the understanding that these monies would be applied against future City of Hamilton purchases by the Region.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

1992 November 10

19. (a) That the following complement adjustments occur in the Department of Public Works:

Superintendent of Streets and Sanitation	(1 F.T.E.)
Foremen/Woman I	<u>(5 F.T.E.)</u>
Total eliminated	(6 F.T.E.)

General Foreman/Woman	<u>5 F.T.E.</u>
Net Change	(1 F.T.E.)

- (b) That this restructuring be forwarded to the Finance and Administration Committee for its information.
20. (a) That a traffic signal be installed at the intersection of Centennial Parkway and Goderich Road; and
- (b) That a traffic signal be installed at the intersection of Glen Echo Drive/Queenston Mall Entrance at Nash Road South.
- (c) That permission to relocate and remove if necessary one City of Hamilton tree on the east side of Nash Road at the Queenston Mall entrance.
- (d) That the cost of road alterations required at the above two locations be funded from the 1992 Road Reconstruction account at a cost not to exceed \$70,000.
21. (a) That the estimated City's share of \$263,475. for the proposed storm sewer works to be constructed in conjunction with the new West Mountain Twin Pad Arena off of Chedmac Drive, be approved;
- (b) That the Finance and Administration Committee recommend the source of funding for the costs related to the construction of this storm sewer.
- (c) That the Director of Property be directed to obtain an Easement from Chedoke Hospital Corporation in favour of the Region for the portion of the proposed storm sewer which is to be constructed on the lands of the Chedoke Hospital Corporation.

22. (a) That permission be granted for the removal of a City tree located at the south-west corner of the site at 322-330 Charlton Avenue West - Artaban Non-Profit Homes Inc.
- (b) That Artaban Non-Profit Homes Inc. be required to pay \$3,100. for the removal, stumping and replacement cost of this City tree.
23. That leave be granted to introduce the following Bills:
- (a) **Bill A-87** By-law to Amend By-law No. 92-152 regarding Fieldway Drive
- (b) **Bill A-88** By-law to Incorporate Parts 2, Plan 62R-12045 into Elite Drive
- (c) **Bill A-89** By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalk on the east side of Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from 86 m south of Skyview Drive to approximately 83 m southerly, as described in Schedule "A"
- (d) **Bill A-90** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (e) **Bill A-91** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1992 November 2

Appendix "A" as referred to in
Section 12 of the TWELFTH Report
of the Transport and Environment
Committee for 1992

Location	Type of Encroachment	Solicitor/ Agent	First Year/ Annual Fee	File No.
71 Oak Avenue	Wood Steps measuring 5.63' x 3.5'	Kosar & Pallos 100 Main St. E. Hamilton L8N 3W6	\$112./20.	T103-50 (977)
39 Hilda Avenue	Frame garage onto the Public Assumed Alley measuring 10.0' x 16.73'	Simpson, Watson & Vujinovic 950 King St. W. Hamilton L8S 1K8	\$112./\$20	T103-50 (949)
206 West Ave. N.	Concrete porch & steps measuring 4.5' x 18.4'	Agro, Zaffiro Parente Orzel & Baker Box 2069, Station A Hamilton L8N 3G6	\$112./\$20	T103-50(1020)
259 Ottawa St. N.	Frame awning onto the road allowance of Campbell Avenue measuring 2.0' x 10.5'	Ross & McBride Barristers & Solicitors Box 907 Hamilton L8N 3P6	\$46./\$50.	T103-50(993)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1992 and respectfully recommends:

1. That the Art in Public Places Policy: City of Hamilton attached hereto as Appendix "A", be approved.
2.
 - (a) That an Offer to Purchase, executed by Regional Officials on 1992 October 13 and scheduled for closing on or before 1993 January 26, for the purchase by the Region of Part 22 on Plan 62R-11742, containing 0.195 hectare (0.4818 acre), required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$55,000. be credited to Account No. CH4X501 00201 (Reserve for Parkland Acquisition). Subject property forms part of the proposed T.B. McQuesten Multicultural Gardens.
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
3.
 - (a) That the City of Hamilton renew the Lease Agreement which expired on 1991 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of 57 Beach Boulevard.
 - (b) That the new term commence 1992 January 1 and expire 1993 December 31, for an annual rent of \$1. plus any applicable taxes and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental).
 - (c) That either party has the right to terminate the agreement on thirty (30) days notice.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.

4.
 - (a) That a purchase order be issued to Memphis-Kendall Builders Inc., Toronto in the amount of \$376,000. for the construction of a new club house for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. grounds (Hamilton Amateur Athletic Association grounds).
 - (b) That approval be subject to the Hamilton Tennis Club contributing the difference between the Parks and Recreation Committee's approved budget (\$300,000.) and the total net budget cost (after G.S.T. rebate).
 - (c) That a contract be entered into satisfactory to the City Solicitor.
5.
 - (a) That the following positions be deleted from the Culture and Recreation Department, Cultural Division, Dundurn Castle:

Assistant Head Historical Interpreter	(2.06 F.T.E.)
Head Historical Interpreter	(1. F.T.E.)
Monitor	(.33 F.T.E.)
TOTAL	(3.39 F.T.E.)
 - (b) That the complement of existing Curatorial Assistants be increased by 2 F.T.E. for Dundurn Castle.
 - (c) That the following new classifications be added to the Culture and Recreation Department, Cultural Division, Dundurn Castle:

Curatorial Marketing Co-ordinator - for Division	1 F.T.E.
Museum Support Clerk - Dundurn Castle	.5 F.T.E.
TOTAL	3.5 F.T.E.
 - (d) That the new positions be referred to the Human Resources Centre for reclassification.
 - (e) That the positions be posted and filled.
 - (e) That any adjustments to salaries and wages due to restructuring/reclassifications be accommodated within the current budget.
 - (f) That the new organizational structure as outlined on Appendix "B", attached hereto, be approved.

1992 November 10

6. That authorization be granted to the Director of Culture and Recreation to hold a fireworks display on 1992 December 1 in the Sackville Hill Park enclosed field, in conjunction with the Grand Opening Celebrations of the Sackville Hill Seniors Recreation Centre.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 November 3

Appendix "A" as referred to in
Section 1 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1992

ART IN PUBLIC PLACES POLICY

City of Hamilton

Contents	Page
Summary of Objectives, Recommendations	i
Preamble	iv
Mission Statement	1
Principles	1
Definitions	2
Objectives	3
Administration	5
Schedule "A"	7
Selection Process for Public Art	9
Donations of Art	10
Siting/Installation of Public Art	11
Inventory of Public Art	12
Collection Guidelines	13
Municipal Capital Projects and Public Art	14
Public Art, Private Development Projects	16
Education	17

October 1992

SUMMARY OF OBJECTIVES AND RECOMMENDATIONS

Mission Statement

The City of Hamilton will initiate, implement and support a public art programme to encourage public art projects which will humanize and enhance the environment in which its citizens live.

Objectives

1. URBAN DEVELOPMENT:

To support and encourage the development of Hamilton as a desirable urban location for residency, business development, cultural activity and tourism.

2. INTEGRATION:

To encourage productive collaborations between the arts community and the larger community.

3. PROCESS:

To provide an organizational structure for the review, administration and processing of public art projects.

Recommendations

1.0 ADMINISTRATION:

- 1.1 That City Council consider the appointment of a Public Art Commission as an integral part of its public art programme in accordance with the structure outlined in Schedule A;
- 1.2 that the co-ordinating staff function associated with a public art programme be established within the Department of Culture & Recreation;
- 1.3 that all departments inform the arts co-ordinator of public art opportunities originating in those departments;
- 1.4 that the Public Art Commission receive administrative assistance from the City Clerk's Department.

2.0 SELECTION PROCESS FOR PUBLIC ART:

- 2.1 That a selection process which is fair, promotes excellence, and is tailored to meet the needs of each project be used in choosing public art for those projects;

- 2.2 that the Public Art Commission decide, on a project by project basis, the appropriate selection method.

3.0 DONATIONS OF ART:

- 3.1 That individuals or groups intending to make a donation submit written proposals for review by the Public Art Commission;
- 3.2 that the Public Art Commission make recommendations consistent with established criteria;
- 3.3 that the Public Art Commission review all requests, then forward recommendations to committee and Council.

4.0 SITING/INSTALLATION OF PUBLIC ART:

- 4.1 That any instance of siting/installation, re-location or removal of a work of art owned by the City of Hamilton or located on property of the City of Hamilton, be subject to review by the Public Art Commission and relevant City Departments.

5.0 INVENTORY OF PUBLIC ART:

- 5.1 That a municipal Public Art Inventory be actively maintained in a registry with records management principles compatible with those of the City's museums;
- 5.2 that any items identified as artifacts, archival materials or architectural pieces be referred to the appropriate agencies.

6.0 COLLECTION GUIDELINES:

- 6.1 That the Public Art Commission develop an art collection policy for the City of Hamilton in co-operation with established committees and jurisdictions.

7.0 MUNICIPAL CAPITAL PROJECTS AND PUBLIC ART

- 7.1 That in order to establish a long term funding base, an allocation of up to one percent of construction costs for all municipal capital projects be used for the acquisition and maintenance of public art;
- 7.2 that affected City Departments be responsible for identifying those capital projects in which public art will be included, on the basis of the project's public visibility, public use and its civic importance;

- 7.3 that mechanisms be established to publicize public art opportunities to artists, with emphasis on local artists' participation;
- 7.4 that artists be involved from the earliest stages of any project identified for a public art component as integral members of the design team.

8.0 PUBLIC ART - PRIVATE DEVELOPMENT PROJECTS:

- 8.1 That City Departments, in co-operation with the Public Art Commission, establish methods of entrenching a partnership with the corporate development sector to encourage public art projects in Hamilton.

9.0 EDUCATION

- 9.1 That staff and the Public Art Commission provide opportunities for the general education of the community about public art issues;
 - 9.2 that staff and the Public Art Commission include an educational component within the scope of each public art initiative undertaken in City capital projects;
 - 9.3 that staff and the Public Art Commission maintain relationships with the Boards of Education, Art Gallery of Hamilton Education Department and other education providers.
-

PREAMBLE

Through the initiative taken by the Arts Advisory Sub-committee in 1989 and the subsequent work of Sheila Greenspan, Chuck Renaud, Trevor Hodgson, Bob Mason, Robert Swain, Marek Radojewski, Cameron Nolan, Ted Pietrzak, Karen Mills, Delores Prendergast, other community representatives, various civic committees - notably the Hamilton Historical Board - and the staff of several city departments, the Art in Public Places Policy has been prepared for the consideration of Committee and Council.

It was the intention of all participants to develop a document which would be of special assistance to our Municipal government and of lasting benefit to the community at large.

The steering committee hopes that the policy will be approved as the working drawing of a practical structure for creating, maintaining and preserving a unique and welcoming Hamilton.

With the approval of the policy by City Council, a public art programme will be established. Its responsibilities will include the drafting of the more detailed guidelines and recommendations which will be required.

There has been an understanding of the economic realities with which Hamiltonians and their government are now dealing; consequently, the policy recommends the re-direction of a small percentage of existing funds for the specialized capital projects represented by the work of the artists of our region. Use is also made of existing staff resources. It is expected that the scope of the programme will be designed to make effective use of those resources without compromising capital project budgets or staff capacities.

Sincere thanks are extended to those volunteer members of the steering committee who, as a group, provided approximately 500 hours of their time to discuss, consider and recommend action on the public art issues assessed to be most relevant to Hamilton.

MISSION STATEMENT

The City of Hamilton will initiate, implement and support a public art programme to encourage public art projects which will humanize and enhance the environment in which its citizens live.

PRINCIPLES

A public art policy and programme is based on the general principles contained in the City of Hamilton's POLICY FOR THE ARTS, i.e.:

PARTNERSHIPS

The City of Hamilton recognizes that it is one agency among many, that it shares responsibility for local arts development, and acknowledges that co-operation with its partners is in the best interests of all concerned.

EXCELLENCE

The City of Hamilton encourages the pursuit of excellence in the creative efforts of individuals and organizations at all levels of artistic activity.

AWARENESS AND APPRECIATION

The City of Hamilton has responsibility for enhancing and facilitating the general public's awareness of, and appreciation for, the local arts environment.

ACCESS

The City of Hamilton has a role in ensuring public access to arts activities, services and venues.

DEFINITIONS

PUBLIC PROPERTY

- 1.1 **Publicly Accessible Property - PUBLIC:** Municipal government buildings and lands, or portions thereof, accessible to the general public including but not limited to lobbies, hallways, public rooms, adjacent exterior approaches and plazas, public highways, roadways and easements, parks, exterior architectural treatments and major public sight lines.
- 1.2 **Publicly Accessible Property - PRIVATE:**
- (a) Exterior or outdoor areas of privately owned/controlled buildings and land which are accessible to the public during business and/or leisure hours. These areas may include but are not limited to exterior building surfaces, walkways, plazas, and major public sightlines.
 - (b) Interior areas of privately owned/controlled buildings which are accessible to the general public during business and/or leisure hours. These areas may include but are not limited to lobbies, courtyards and malls.

NOTE 1: 1.1 and 1.2, for the purposes of this policy, hereinafter will be termed "**PUBLIC PLACES**".

NOTE 2: All public art issues will, when appropriate, be reviewed by other jurisdictions when legislation or established policy requires this review.

PUBLIC ART

- 1.3 For the purposes of this policy, **public art** is defined as: creative works and/or designed amenities which are intended for installation and meaningful integration in public places as previously defined; which are temporary or permanent; which are constructed in traditional or contemporary materials and forms. Included are works of art owned by the City of Hamilton and works of art owned privately but situated in public places. Excluded are plaques, museum collections and archival collections.

OBJECTIVES

1.0 URBAN DEVELOPMENT

To support and encourage the development of Hamilton as a desirable urban location for residency, business development, cultural activity and tourism.

Specifically,

- 1.1 to encourage Hamilton to excel as a humane, friendly, functional and balanced environment;
- 1.2 to initiate and encourage participation and dialogue among affected interest groups regarding the design, appearance, use and conservation of public places;
- 1.3 through public art projects, to support opportunities for the education and cultivation of audiences for the arts and for the development of arts-related businesses.

2.0 INTEGRATION

To encourage productive collaborations between the arts community and the larger community.

Specifically,

- 2.1 to provide a climate in which public art projects are a means of integrating artistic expression into the public domain;
- 2.2 to promote the involvement of artists at the earliest design stages of a project;
- 2.3 to provide opportunities for this region's artists to contribute to Hamilton's development.

3.0 PROCESS

To provide an organizational structure for the review, administration and processing of public art projects.

Specifically,

- 3.1 to create an objective selection process within a comprehensive public art programme;
- 3.2 to address maintenance and conservation issues affecting Hamilton's public art heritage;
- 3.3 to consult with all authorities having shared jurisdiction regarding public art issues;
- 3.4 to promote the development of co-operative funding mechanisms which involve government and the private sector for the implementation of the public art programme.

ADMINISTRATION

Recommendation:

- a) That City Council consider the appointment of a **PUBLIC ART COMMISSION** as an integral part of its public art programme in accordance with the structure outlined in Schedule A;
- b) that the co-ordinating staff function associated with a public art programme be established within the Department of Culture & Recreation;
- c) that all departments inform the arts co-ordinator of public art opportunities originating in those departments;
- d) that the Public Art Commission receive administrative assistance from the City Clerk's Department.

BACKGROUND: Public art initiatives have been dealt with in the past on an ad hoc basis. Proposals from the private sector were reviewed by the Finance and Administration Committee under its mandate, and by City Council. This approach has left committee and Council vulnerable to strong, often negative, expressions of public opinion regarding process and results.

The City has financially contributed in a significant way to at least one public art project recently. In 1990 the Hamilton and Region Arts Council received a grant of \$25,000 from the City in order to administer the Hamilton Eaton Centre Sculpture Competition recently completed.

Where process is concerned, lack of a comprehensive policy coupled with an ad hoc system has produced a number of difficulties which can be remedied with adoption of this policy. These difficulties have been identified as:

- no guidelines for collection, documentation, donations, commissions, competitions, siting, selections, or funding;
- lack of a complete inventory of art owned by the City;
- no provisions for maintenance and conservation;
- unclear ownership or provenance.

In 1988, City Council appointed a citizen volunteer group to advise on matters related to the arts - the Arts Advisory Sub-committee. This sub-committee reports to the Parks and Recreation Committee.

A municipal arts policy developed by the sub-committee was approved by City Council 1989 October 10 ("Policy For The Arts"). In the policy, a recommendation was made that a separate public art policy be developed.

ADMINISTRATION (continued)

This project began in February 1990 with the constitution of the Art in Public Places Steering Committee under the guidance of the Arts Advisory sub-committee. A body similar to the steering Committee should be established to continue work on public art issues.

Current jurisdictions within City Hall which have an established interest in public art include the Departments of Property and Real Estate (Architectural Division, Property Maintenance), Public Works (Parks Division, Community Development), Planning (Urban Design and LACAC), and Culture and Recreation (Arts Advisory Sub-committee, Parks and Recreation Citizens Advisory Committee, Hamilton Historical Board).

The Arts Co-ordinator, in collaboration with other affected departments, will administer the programme from the staff perspective.

The Public Art Commission will report on a regular basis through the Arts Advisory Sub-committee to the Parks and Recreation Committee, and to other affected Committees of Council as required.

SCHEDULE 'A'

MANDATE OF THE PUBLIC ART COMMISSION

The Public Art Commission will build productive partnerships with the public, the arts community, business, the education system and municipal government to realize the policy objectives.

The Commission will develop, monitor and assist in the implementation of the municipal public art programme and act as a resource to Council as required.

The Commission will design a long-range plan for public art in Hamilton.

COMPOSITION OF THE COMMITTEE

The successful, diverse membership of the Art in Public Places Policy Steering Committee demonstrated that it is important to bring together again in the Public Art Commission a wide representation of all stakeholders: the general public, visual and performing artists, the business community, architects, landscape architects, urban designers, planners and educators.

GUIDELINES:

It is essential that the Commission have strong representation by visual arts practitioners.

It is recommended that the Commission have nine citizen members representing the fields of visual art, architecture, the private development industry, urban design, education.

It is further recommended that City Council, the Arts Advisory Sub-committee, Hamilton Historical Board, Central Area Plan Implementation Committee, Urban Design Committee, L.A.C.A.C., Library Board and HECFI appoint their representatives to the Public Art Commission.

Staff from the following departments would provide active liaison with the Trust:

- Department of Culture & Recreation
- Department of Public Works
- Property Department
- Planning Department
- City Clerk's Department

Schedule "A" continued

CONFLICT OF INTEREST

With the development and implementation of projects, conflict of interest concerns will surface. Therefore, members of the Public Art Commission (and their immediate families) cannot participate as competitors nor be commissioned for any project monitored by the Commission during their terms of service. The conflict of interest guidelines used by the City of Hamilton will apply to the Commission's members and their activities.

SELECTION PROCESS FOR PUBLIC ART

Recommendation:

- a) That a selection process which is fair, promotes excellence, and is tailored to meet the needs of each project be used in choosing public art for those projects;
- b) that the Public Art Commission decide, on a project by project basis, the appropriate selection method.

BACKGROUND

As the City of Hamilton proceeds to include opportunities for public art in the design and construction of its capital projects (both new construction projects and major renovations), it will be necessary to follow a selection process which produces the best results in a fair manner. These opportunities for public art in capital projects take the form (for example) of an artist being involved in the design of landscape treatments, of light fixtures, or more traditionally, of murals and sculptures.

The importance of methods used in the selection of successful proposals is crucial to achieving excellence, integrity and respect in a public art programme. In addition, consideration of the budget and the public importance of any capital project is essential for the choice of the appropriate selection process. Selection methods are (1) commissions, (2) open competitions and (3) invitational competitions.

DONATIONS OF ART

RECOMMENDATION:

- a) That individuals or groups intending to make a donation submit written proposals for review by the Public Art Commission;
- b) that the Public Art Commission make recommendations consistent with established criteria. Factors to be considered are:
 - the conformance of each piece to the terms of the Collection Policy of the City of Hamilton
 - the professional quality of the work
 - the absence of any donor conditions or restrictions
 - provenance of art work
 - the donor's clear legal title to the work
 - maintenance requirements
 - suitability of materials
 - availability of a suitable site for display/installation
 - the inclusion of slides, photographs, artist's drawings or a maquette with the written proposal
 - conformance of the piece (where applicable) to structural and fabrication standards, and to safety codes
 - staff research/comment.
- c) that the Public Art Commission review all requests, then forward recommendations to committee and Council.

BACKGROUND:

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have, in the past, generally been accepted on the terms suggested by the donor. There has been no art collection policy for the Corporation which would limit the acceptance of gifts by their quality, size, medium, subject matter or maintenance requirements. Currently the City has in its inventory a wide range of visual artworks, ethnic craft work and memorabilia.

SITING/INSTALLATION OF PUBLIC ART

Recommendation:

That any instance of siting/installation, re-location or removal of a work of art owned by the City of Hamilton, or located on the property of the City of Hamilton, be subject to review by the Public Art Commission and relevant City Departments.

BACKGROUND:

Issues related to siting are of fundamental importance to public art. Many successful projects are created especially for a particular site. The physical, geographic, social context and historical context within which a work of art is situated has an impact on how the piece is seen, valued, treated and accepted by the community. Such things as pedestrian or vehicular circulation patterns, weather, etc. have direct implications for the siting of public art.

A review panel consisting of the Public Art Commission in co-operation with affected Departments will recommend siting, re-location and de-accessioning with the knowledge that works cannot be sited/installed with a guarantee of permanent placement.

Other considerations include:

- future physical changes to the site
- environmental damage to the work
- physical hazards
- a request of the artist or donor
- inappropriateness of original siting
- legal implications including the moral rights of the artist as detailed in the Copyright Act, R.S.C. 1985, c. C-42, as amended.

INVENTORY OF PUBLIC ART

Recommendation:

- a) That a municipal Public Art Inventory be actively maintained in a registry with records management principles compatible with those of the City's museums;
- b) that any items identified as artifacts, archival materials or architectural pieces be referred to the appropriate agencies.

BACKGROUND:

An essential part of a public art programme is an inventory of all works in the ownership of the City of Hamilton. An inventory provides not only a listing of objects, but also information about materials used, condition of the work, description of the work, biography of the artist, information about the donor and terms of the gift, location of the work, description of the setting, storage and maintenance requirements, and any display requirements. The inventory should also contain a photograph of each work in the collection. The inventory should be reviewed and updated on a regular basis.

This was recognized and approved by the Parks and Recreation Committee at its meeting of 1990 May 01 in the recommendation:

"That the Director of Culture and Recreation be directed to co-ordinate the compilation of a complete inventory of public artwork in the ownership of the City of Hamilton."

In addition, the Committee requested that this inventory be expanded to include the City's collection of photographs. The Committee also requested that a gift or loan of a painting of Mayor Colin Ferrie's home (Hamilton's first Mayor) to the Art Gallery be investigated with a view to returning the painting to the City. Further, the Committee requested that this inventory should survey all City Hall offices, including that of the Mayor.

In January 1992, a contract was entered into with the Ministry of Community and Social Services' "Social Service Employment Programme". An employee was retained for a one-year period to establish the City's first art inventory.

COLLECTION GUIDELINES

RECOMMENDATION:

That the Public Art Commission develop an art collection policy for the City of Hamilton in co-operation with established committees and jurisdictions.

BACKGROUND

In the past the City has not actively collected fine art through the allocation of specific funds for that purpose. However the City has made a practice of accepting donations of fine art. With the percent for art funding mechanism, the City will acquire works of art for its public places. Collection guidelines will address such issues as maintenance, conservation, storage, exhibition, loan and contract.

This direction is consistent with the present situation governing the collections of the City's museums. Significant collections belong to each of the five City of Hamilton Museums. The Museums Collection Policies are specific in their mandate and do not address the acquisition of works of art through donations to the office of the Mayor or City Clerk's Department.

MUNICIPAL CAPITAL PROJECTS AND PUBLIC ART

RECOMMENDATION:

- a) That in order to establish a long term funding base, an allocation of up to one percent of construction costs for all municipal capital projects be used for the acquisition, conservation and maintenance of public art;
- b) that affected City Departments be responsible for identifying those capital projects in which public art will be included, on the basis of the project's public visibility, public use and its civic importance;
- c) that mechanisms be established to publicize public art opportunities to artists, with emphasis on local artists' participation;
- d) that artists be involved from the earliest stages of any project identified for a public art component as integral members of the design team.

BACKGROUND

In a comparative analysis of the funding of public art programmes in North American cities, Canadian provinces and American states and counties, it has been found that successful programmes were funded using the percent for art method. Most recently Edmonton, Alberta and Waterloo, Ontario have approved this funding mechanism for art in their municipal capital projects.

Every capital project may not be suitable for public art treatments. Therefore, the pooling of funds in a specific account will allow some flexibility in the disposition of funds. These funds would be most appropriately directed to projects with a high degree of public use and visibility (see "Definitions").

Such funds are used for the creation of original artwork, specifically for artist's fees, construction, installation and maintenance of the piece. In the case of a competition, a budget allocation is made for finalists' maquettes (project models). Staff administrative costs are not taken from this account.

Many cost-effective and innovative approaches to public art requirements are possible when an artist is involved at the early design stages. Normal construction needs such as floors, utilities ducting and interior surface treatments afford excellent opportunities for creative work. Thus public art is not restricted to being an embellishment or decorative afterthought.

Affected City departments will be responsible for identifying those capital projects in which public art will be included based on the project budget and its conformity to the definition of "Public Place". These departments should be advised that the inclusion of public art

components in capital projects require that at the earliest possible stage an artist be

involved as a member of the design team. In this collaborative approach, the artist's work will be an integral part of the project design rather than a costly and possibly unsuccessful afterthought. Public art programmes routinely develop registries of artists who are interested in and experienced in public art. Such registries are actively maintained as resource tools.

The Public Art Commission will assess whether the project calls for a direct commission, an open competition, or an invitational commission. Open competitions require extensive staff time and resources. Invitational competitions require that the Public Art Trust build and keep current a slide registry/directory of artists and their work.

The Public Art Commission will organize AD HOC selection committees/juries according to the needs of each project.

PUBLIC ART - PRIVATE DEVELOPMENT PROJECTS

RECOMMENDATION:

That the City Departments, in co-operation with the Public Art Commission, establish methods of entrenching a partnership with the corporate development sector to encourage public art projects in Hamilton.

BACKGROUND

Long term solutions for public art in Hamilton will depend on partnerships between the City and private developers. The initiative in this process begins with the City's leadership.

There are public art components featured in several private development projects in Hamilton. Notable recent examples include the Evan Penny sculpture in the lobby of the CIBC Towers, and the commissioned Susan Schelle/Mark Gomes piece installed in the rotunda of the Eaton's Centre. A restored example can be found in the stained glass windows celebrating Hamilton's character in the lobby of the Pigott Building.

Many private developers have chosen to continue a long tradition of enhancing their projects through public art. It has been demonstrated that public art produces benefits for the developer: increased property value; distinctive identification trademarks; marketing and promotion components; and tangible expressions of leadership in structure and project design.

EDUCATION

RECOMMENDATION:

- a) That Staff and the Public Art Commission provide opportunities for the general education of the community about public art issues;
- b) that Staff and the Public Art Commission include an educational component within the scope of each public art initiative undertaken in City capital projects.
- c) that staff and the Public Art Commission maintain relationships with the Boards of Education, Art Gallery of Hamilton Education Department and other education providers.

BACKGROUND:

In order to encourage receptivity to and support for public art it is essential that the community be made aware of these enhancements of public spaces. The community should also be encouraged to take an active role in projects which have an impact on their neighbourhoods. It has been demonstrated through examples in other cities that a successful expression of public art is one which citizens enjoy, understand and accept. In this way, the potential for vandalism is decreased and the potential for community pride is established.

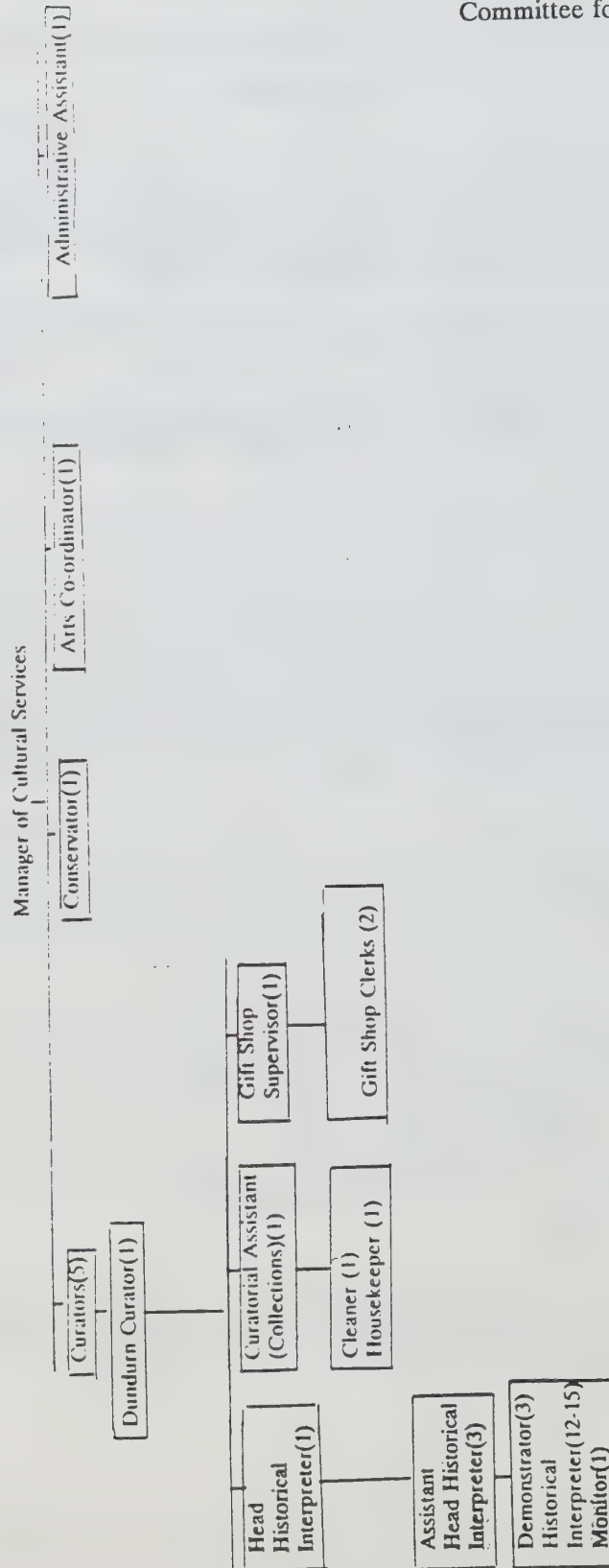
Some work has already begun in this area. On May 30, 1992 the City hosted its first Public Art Symposium. Presentations of lectures, slides and question periods by artists, architects, developers and administrators provided delegates with a broad educational experience, one which would enable them to understand not only the successes and failures of public art in other cities, but also the potential benefits of public art projects for Hamilton.

In addition, a modest project was undertaken in May 1992 by a university art student in the neighbourhood of Norman Pinky Lewis Recreation Centre. As part of a graduating year requirement, Angela Andersen designed a mural for the wall abutting the tennis court. Ms. Andersen, as a neighbourhood resident, had noticed that this wall was a target for graffiti. She was asked to organize a volunteer painting crew from the children in the area, many of whom used the recreation centre and were students of Stinson School. The students assisted Ms. Andersen in completing the mural. They not only enjoyed their weekend involvement but now act as informal custodians of the site. To date there has been no vandalism to the mural.

A mandatory element of project accessibility is the provision of educational labelling. This includes on-site information labels and a community-directed outreach component. Outreach programmes often take the form of television and newspaper coverage, brochures, maps.

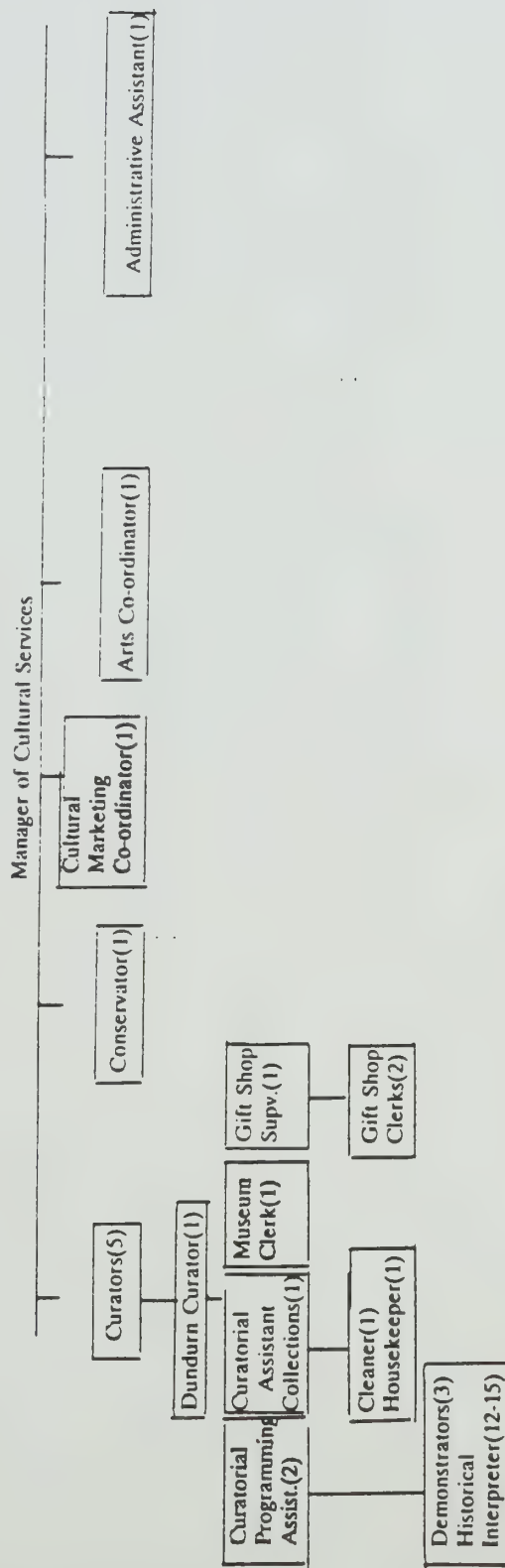
Appendix "B" as referred to in
Section 5 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1992

CURRENT ORGANIZATIONAL CHART



Classification suggested to be deleted

PROPOSED ORGANIZATIONAL CHART



Increased complement of new classifications

1992 November 10

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1992 and respectfully recommends:

1.
 - (a) That the Planning and Development Department be directed to approach the Province for funding to undertake a consultant study to review the design and land use in the vicinity of the proposed Hamilton GO Centre.
 - (b) That the issues identified in the reports of the Central Area Plan Implementation Committee and the Urban Design Committee, concerning the Hamilton GO Centre, be incorporated into the Terms of Reference for the consultant study of the land in the vicinity of the GO Centre.
 - (c) That GO Transit be requested to address those issues identified by the Committees, as outlined in Appendix "A".
 - (d) That the Chief Administrative Officer for the City of Hamilton be appointed as the Co-ordinator for all municipal review and activity for the GO Centre and surrounding area.
2.
 - (a) That approval be given to the "Intent to Designate" the Dominion Public Building (future Consolidated Courthouse) at 10 John Street South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked as Appendix "B"; and,
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

1992 November 10

3.
 - (a) That approval be given by By-law, for the City to enter into a Heritage Easement Agreement with the Hamilton Hebrew Academy under Part IV, Section 37 of the Ontario Heritage Act; and,
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this Heritage Easement implemented, pursuant to the provisions of the Ontario Heritage Act, 1983.
4. That the City of Hamilton's Public Works Department, Community Renewal Section in conjunction with the Keep Hamilton Clean Committee hold a 5th Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$3,000.
5. That a Commercial Facade Loan in the amount of twenty eight thousand, one hundred and fourteen dollars (\$28,114) be approved for Garth H. Turpin and Sharon Turpin, 533-537 Concession Street, Hamilton. The interest rate will be 4 1/8 per cent, amortized over 10 years.
6. That a rehabilitation loan in the amount of three thousand, nine hundred and fifty nine dollars (\$3,959) be approved for Leonard Renford Dunbar and Veronica Dunbar, owner of a Second Level Lodging Home at 106 Catharine Street South. The loan is amortized over a ten-year period at three percent interest and secured by a Lien on Title.
7. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 1098 Upper James Street
 - (b) 1106 Upper James Street
 - (c) 1147 Upper James Street
 - (d) 106 Hillyard Street
 - (e) 175 Niagara Street
8. A. That approval be given to application 25CDM-89003, 591613 Ontario Inc., c/o K. VanDerSchaaf, owner, to establish a draft plan of Condominium located at the north side of York Boulevard between Crooks Street and Magill Street, subject to the following conditions:
 - (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated 1988 December 20.

1992 November 10

- (ii) That the owner satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
- B. That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
- 9. That the current list of members of the Central Area Plan Implementation Committee, attached as Appendix "C", be appointed for the term of Council to expire in 1994 November.
- 10.
 - (a) That the Commission on Planning and Development Reform be requested to strengthen and clarify their proposals for reform of the planning system as outlined in Appendix "D"; and,
 - (b) The City Clerk be requested to forward this report to the Sewell Commission and Hamilton-Wentworth Region.
- 11. A. That Zoning Application 92-30, Mr. & Mrs. E. Ciardullo, owners, requesting modifications to the "AA" (Agricultural) and "C" (Urban Protected Residential, etc.) Districts to permit the temporary use of land for a garden centre/nursery and related uses, for lands municipally known as 1468 and 1478 Upper James Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "E", be Denied for the following reasons:
 - (a) The proposal conflicts with the intent of the approved Mewburn (East) Neighbourhood Plan.
 - (b) The proposal to use the entire site, even on a temporary basis, may jeopardize the establishment of the mid-block collector road and future assembly/development of the lands for their intended use.
 - (c) Development of the subject lands on the south side of the proposed mid-block collector road is considered premature pending either consolidation with adjoining lands or submission of a plan showing how the lands could be developed on a comprehensive basis.

- B. That approval be given to amended Zoning Application 92-30, Mr. & Mrs. E. Ciardullo, owners, for modifications to the "AA" (Agricultural) and "C" (Urban Protected Residential, etc.) District to permit the temporary use of land for a garden centre/nursery and related uses for property municipally known as 1468 Upper James Street, shown as Blocks "A" & "B" on the attached map marked as Appendix "F", on the following basis:
- (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, and the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified in accordance with Section 38 of the Planning Act, R.S.O. 1983, to permit the temporary use of the lands for a garden centre/nursery and related uses for a period of three years from the day of passing of this By-law, subject to the following special provisions:
 - (i) That notwithstanding Sections 7A(1) and 9.(1) of Zoning By-law No. 6593, a business identification sign shall be permitted in accordance with the requirements of Section 13.1(xv) of By-law No. 6593;
 - (ii) That a minimum 6.0 m wide landscaped planting strip shall be provided and maintained along the westerly lot line of Block "A";
 - (iii) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block "A";
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- 1291, and that the subject lands on W-9D be notated S-1291;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- C. That By-law 79-275, as amended by By-law No. 87-223, be amended by adding Blocks "A" and "B" as shown on Appendix "F", to Schedule "A".
 - D. That the amending By-law not be forwarded for passage by City Council until such time as the owner applies for and receives site plan approval.
12. That approval be given to Zoning Application 92-36, 952517 Ontario Ltd. (Mike Anderson, owner), requesting a modification to the "H" (Community Shopping and Commercial, etc.) District, to permit the development of the subject lands for a four (4) bay coin-operated car wash and mechanical car wash in conjunction with a proposed restaurant and variety store with an accessory office, for the property located at 217 Cannon Street East, as shown on the attached map marked as Appendix "G", on the following basis:
- (i) That By-law No. 79-152 and By-law 84-228 be repealed in their entirety;
 - (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14.(1) of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 14(1) of Zoning By-law No. 6593, the following commercial uses shall be permitted;
 - 1. a coin-operated manual car wash having not more than four (4) bays;
and,
 - 2. a mechanical car wash.
 - (b) That notwithstanding Section 18(3)(ivc)(a) of Zoning By-law No. 6593, every building and structure shall be distant at least 4.5 m (14.76 feet) from the boundary of a residential district;
 - (c) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the southerly and easterly lot lines, except for any area used for vehicular access;

1992 November 10

- (d) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the northerly lot line;
 - (e) That a visual/acoustical barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the northerly lot line;
 - (f) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1292, and that the subject lands on Zoning District Map E-4 be notated S-1292;
 - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
13. That approval be given to amended Zoning Application 92-17, Mr. Chin Shee Shing and Mrs. Chin Nor Fai, owners, requesting a modification to the established "M-13" (Prestige Industrial) District regulations, to permit the construction of a 2 storey, 466 m² (5,020 sq. ft.) building containing a 300 seat banquet hall (basement level), a 150 seat restaurant (ground floor level), and an accessory apartment unit, (second floor), for property located at 1123, 1131 and 1135 Stone Church Road East, as shown on the attached map marked as Appendix "H", on the following basis:
- (i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 17E(1) (c) of By-law No. 6593, a restaurant and caterer including banquet facilities shall be permitted.

- (b) That notwithstanding Section 17E(1) (e) of By-law No. 6593, an accessory dwelling unit which is incidental to the permitted restaurant use and located within the same building, shall be permitted.
 - (c) That Section 4. (3) (a) of By-law No. 6593 shall not apply to the two existing single-family dwellings, known municipally as Nos. 1131 and 1135 Stone Church Road East.
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1293, and that the subject lands on Zoning District Map E-59C be notated as S-1293.
 - (iii) That the City solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (v) That the Trenholme Neighbourhood Plan and the Mountain Industrial Area Plan be amended by redesignating the subject lands from "Multi-Centre - Civic And Institutional" to "Multi-Centre - Commercial".
14. A. That approval be given to amended Zoning Application 92-22, Rolando Pineda Estrabillo, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified (Block "1"), and for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "2"), to convert the existing single-family dwelling to a dental office on the first floor and a dwelling unit on the second floor, for the property located at 860 Upper Wentworth Street, as shown on the attached map marked as Appendix "I", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, R.S.O., to the subject lands, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the "H" symbol, and thereby give effect to the "C" District -Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9(1), of Zoning By-law No. 6593, the following uses shall be permitted:
 - 1. a dental office only on the first floor of the existing building and having a maximum gross floor area of 95.0 m² (1000 S.F.);
 - 2. one dwelling unit only on the second floor of the existing building;
 - 3. an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
 - (ii) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the westerly lot line of Block "2", and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "2";
 - (iii) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the southerly lot lines of Blocks "1" & "2", and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the southerly lot lines of Blocks "1" & "2";
 - (iv) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the easterly lot line of Block "1", except for any area used for vehicular access;
 - (v) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, a minimum of four (4) parking spaces shall be provided and maintained on the subject lands;
 - (vi) That Section 18A(14) of Zoning By-law No. 6593 shall not apply;

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1294, and that the subject lands on Zoning District Map E-18 be notated S-1294;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council;
 - (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".
15. A. That approval be given to Zoning Application 92-32, Ernie and Tom Schoenholz, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit the development of lands municipally known as 719 Knox Avenue through a plan of condominium for four (4) single-family dwellings, having common access to Knox Avenue, as shown on the attached map marked as Appendix "J", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 35(1) of The Planning Act, R.S.O. to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District to prohibit the development of the subject lands until:
 - (i) the owner has undertaken a soils study to the satisfaction of the Ministry of Environment, and notification is received from the Ministry of Environment that the decommissioning process, if required, has been satisfactorily completed;
 - (ii) the owner has applied for and received approval from the Regional Municipality of Hamilton-Wentworth of a draft plan of condominium; and,
 - (iii) the owner has applied for and received Site Plan Approval.

City Council may remove the "H" symbol and thereby give effect to the "C" District provisions as stipulated in this By-law, by enactment of an amending By-law once the conditions are fulfilled.

- (b) That the subject lands be zoned "C"-H' (Urban Protected Residential, etc. - Holding) District;
- (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 4.(3)(a) of Zoning By-law No. 6593, four (4) single-family dwellings shall be permitted on the subject lands;
 - (ii) That Section 9.(3) of Zoning By-law No. 6593 shall not apply;
 - (iii) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, a lot width of at least 6.6 m shall be provided and maintained;
 - (iv) That the following minimum setbacks shall be provided and maintained for each of the four permitted single-family dwellings:
 - 1. a setback of at least 4.5 m from the easterly lot line and from the westerly lot line; and
 - 2. a setback of at least 7.5 m from the northerly lot line and from the southerly lot line;
 - (v) That the following separation distances shall be provided and maintained between each of the four permitted single-family dwellings:
 - 1. a distance of not less than 2.4 m between buildings in an east-west direction; and
 - 2. a distance of not less than 27.0 m between buildings in a north-south direction;
 - (vi) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along all property lines, except for the area required for an access driveway.

1992 November 10

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 Schedule S-1295, and that the subject lands on Zoning District Map E-81 be notated S-1295;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-81 for presentation to City Council; and
 - (f) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That By-law No. 79-275 as amended by By-law No. 87-223 be amended by adding the subject lands to Schedule "A", and that the provisions of Section 2. 1. of By-Law 87-223 shall not apply.
16. That leave be granted to introduce the following Bills:
- (a) Bill C-119 A By-law to amend Zoning By-law No. 6593 respecting Housing Intensification Strategy
 - (b) Bill C-120 A By-law to amend Zoning By-law No. 6593 as amendment by Zoning By-law No. 73-268 respecting lands located at Municipal Nos. 15, 19, 20 and 24 Bosna Court and Nos. 39, 43, 47 and 51 Algonquin Court

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 November 4

Appendix "A" referred to in
Section 1(c) of the Nineteenth
Report of the Planning and Development
Committee for 1992

APPENDIX "A"

SUMMARY OF ISSUES PERTAINING TO THE HAMILTON GO TRANSIT CENTRE

- GO Centre signs should be posted on the arterial roads to help keep traffic off the neighbourhood streets.
- Wheelchair access, at grade, with level crossings, should be provided in the station and at the bus terminal.
- Wheelchair access to the bus terminal at Hughson Street South and Haymarket Street should be provided.
- The heritage features of the T.H. & B. station, both its building and site, should be retained.
- Streetscape elements would include and provide for, but not limited to, the following, in a comprehensive design:
 - Tree Planting
 - Lighting
 - Planters and Planting
 - Seating
 - Signage
 - Bus Shelters and Stops
 - Public Telephones
 - Information Kiosks
 - Newspaper Boxes
 - Mail boxes
 - Wheelchair ramps
 - Drinking fountains
 - Bicycle Racks
 - Overhead Shelters
- Because of the very grave concerns regarding the location of the layover yard at Victoria Avenue, the city should initiate urgent and thorough discussions with the GO and Rail authorities, to evaluate all alternatives for the location of the layover yard.

Specific concerns regarding the layover yard are:

- night time activity at the layover yard. Concerns include the servicing of the trains at this yard, the movement of trains at night in the yard, the internal lights in the train remaining on, noise emanating from the yard from trains running at night, i.e. air conditioning, train start-up, etc..
- overpowering air pollution from the trains.
- inadequate noise attenuation measures.
- objectionable noise attenuation measures such as high walls, etc.
- light pollution from security lights to adjacent properties.

- loss of privacy, due to the close proximity of bi-level trains.
- lack of security to the yard from City streets and school site.
- question of future use and operation of yard if planned expansion of service occurs.
- Noise emanating from the rail line in Corktown Neighbourhood should be mitigated through the provision of visually attractive noise barriers.
- That the Hamilton GO Centre be named the "GO Hamilton Transportation Centre".
- That an enclosed waiting area be provided for bus passengers adjacent to the bus loading area.
- That provision be made for taxi drop-off and pick-up at the rear of the station building (on Haymarket Street) to serve bus passengers.
- That GO Transit examine ways to improve passenger safety in crossing the bus platform from the waiting area to Haymarket Street and Hughson Street. The current proposal will require passengers to cross the bus platform (the area where buses drive into and out of the station) in order to access Hughson Street and Haymarket Street.
- That GO Transit incorporate the following features into the station design to provide safety and security for its passengers:
 - a) benches in the public areas of the station and the bus waiting area;
 - b) appropriate lighting in waiting areas and stairwells;
 - c) emergency telephones;
 - d) retail operations (e.g. coffee shop, newspaper kiosk) with operating hours coinciding with train and bus arrivals/departures;
 - e) information on links to other transit opportunities (e.g. Canada Coach, HSR);
 - f) a map of Hamilton to orient passengers to the City;
 - g) signs indicating access to other facilities (e.g. Copps Coliseum, Hamilton Place) in the area.
- The lack of a landscaped area at the front (north entrance to the GO Centre).
- The closest access to the bus platform and waiting area is from Haymarket Street. This area should be re-evaluated as it is the most logical drop-off point for passengers accessing the bus platform.

Appendix "B" referred to in
Section 2(a) of the Nineteenth
Report of the Planning and Development
Committee for 1992

REASONS FOR DESIGNATION

FORMER DOMINION PUBLIC BUILDING, 10 John Street South
(HAMILTON COURTHOUSE)

Context

The Dominion Public Building was erected in 1935-6 on John Street South between King and Main Streets to serve as Hamilton's main Post Office and federal office building. Located on a major site in the downtown core, the front facade of this monumental six-storey edifice faces John Street; its south facade is an integral part of the Gore Park streetscape and its north facade faces the grounds of the present Courthouse. As such, 10 John Street is recognized as an important city landmark.

Historical Significance

Erected on the site of the earlier 1886 Post Office, the new Dominion Public Building was built to accommodate not only the post office but also customs and excise, national health, immigration and various other federal departments, all brought together for the first time in Hamilton under one roof.

The main Post Office was located in this building for over fifty years, closing in 1991, when the Province of Ontario purchased the building for conversion to a new court facility, consolidating the Provincial and General Division courts.

The John Street building belongs to the group of large office blocks built by the Federal Government across the country during the 1920s and '30s; the Hamilton structure was erected as part of a Depression works program introduced by the government in 1934 under the Public Works Construction Act.

Architectural Significance

Hamilton's Dominion Public Building has been ranked as one of the three best examples of the large federal public buildings which were erected across Canada between 1934 and 1939.

In accordance with the government's current policy, a local architect rather than the Public Works Architect was commissioned to design the building. The Hamilton firm of Hutton and Souter, well known for other major works such as the Cathedral of Christ the King, provided the plans.

In terms of the architectural style, Hutton and Souter's design can be described as "modern classical", used also in the five other federal buildings erected at this time. Classical inspiration is visible in the use of pilasters, engaged columns, symmetry, the rectangular block form, and the general horizontal divisions of base, shaft and cornice.

These traditional elements, however, are given contemporary expression, typified in the use of smooth, crisp plans; bold, simply masses; and contrasting linear-patterned ornamentation which accentuates the main architectural features of the building.

This richness of decorative detailing is found throughout the building; on the exterior in the stone ornamentation at the cornice and belt-course the crowning narrative relief of the frontispiece, in the coat-of-arms over the front door, as well as the bronzework of the window and door panels; and on the interior by the use of marble wainscoting and flooring, as well as bronze grillwork, mosaics and painted ceiling.

The Hamilton building is considered to have the finest interior of any federal post office building erected from the mid-to-late 1930s. The main entrance, postal and elevator lobby areas and the main stairwell demonstrate the extensive use of costly materials and quality craftsmanship.

Designated Features

Important to the preservation of the Dominion Public Building are the original features of the east (main, north, and south facades, including the masonry work, windows, doorways and all ornamental decoration; and the interior spaces of the entrance, postal and elevator lobby areas and main stairwell, including all original decorative elements such as the marble cladding and flooring, bronze decorative work on doors and windows, painted ceiling, light fixtures and mosaic.

1992 November 10

Appendix "C" referred to in
Section 9 of the Nineteenth
Report of the Planning and Development
Committee for 1992

CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE MEMBERSHIP
1992 - 1994

Alderman Wm. McCulloch
Russell Elman
Gil Simmons
Robert Brough
Gloria DeSantis
James C. Drake
John Eyles
Ronald Faichney
Maggie Fischbuch
Greg Gouthreau
Gerry Kennedy
Arthur Lomax
Carol Mason
John Nolan
Kay Nolan
Mary Pocius
Bruce Rankin

Alderman, Ward 2
Chairperson
Vice-Chairperson
LACAC
Social Planning and Research Council
Beasley Neighbourhood Association
McMaster University
Senior Citizens Council - City of Hamilton
Citizen Member
Downtown B.I.A.
Metropolitan Hamilton Real Estate Board
Hamilton Automobile Club
Hamilton School Board
Citizen Member
Hamilton-Wentworth Separate School Board
International Village B.I.A.
Hamilton Society of Architects

Appendix "D" referred to in
Section 10(a) of the Nineteenth
Report of the Planning and Development
Committee for 1992

The following is a list of recommendations to the Sewell Commission in response to proposals in the September, 1992 issue of New Planning News:

1. *Provide more detail on the roles and responsibilities of the proposed Provincial policy committees with respect to policy implementation.*
2. *Clearly identify the role of special planning committees in Provincial planning.*
3. *The City re-affirm its position that planning should be done at the level of government closest to the public and therefore more accountable. Therefore, upper tier municipalities should be responsible for developing policies for matters only within their jurisdiction.*
4. *Provide more emphasis on planning for social and economic change, and on transportation and infrastructure planning in the list proposed for required contents of upper and lower tier plans. In addition, the proposal to have 'state of the environment' reports prepared should be not be mandatory for lower-tier municipalities, where such reports are prepared by the upper-tier.*
5. *Recommend that the Province take the lead in defining and developing a geographical information system(s) that would meet the needs and be accessible to the municipalities for environmental data.*
6. *Recommend that the Province take a leadership role regarding the issue of contaminated soils.*
7. *Provide details regarding which legislation the Infrastructure Design and Mitigation Process falls under; the official status of the proposed transportation and infrastructure plans; and, how and when a project becomes subject to the Environmental Assessment Act.*
8. *Clearly identify who is responsible for watershed plans, the difference between watershed studies and watershed plans, and funding responsibilities.*

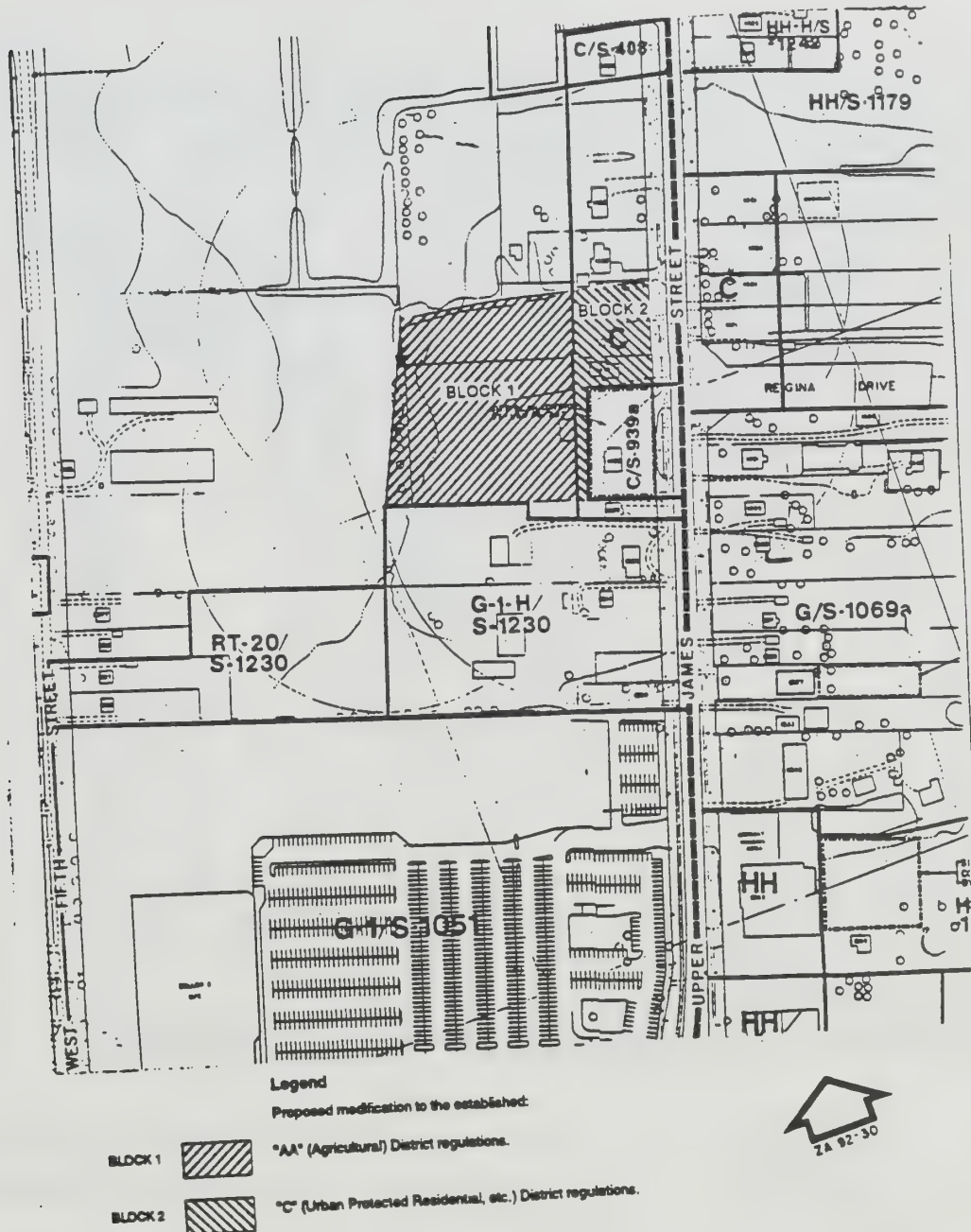
9. *Continue to investigate creative ways to improve the development process as stated in the City's submission in February, 1992 as follows:*

"investigate creative ways to improve the development process such as: modifying the notification requirements for Official Plans to be consistent with zoning by-laws; allowing for conditional approvals (e.g. zoning, site plan approval) with a time limit; introducing a time limit for submissions of appeals where Council denies an application; allowing for conditional uses subject to fixed rules/criteria; giving circulated agencies, particularly the Provincial departments, a specific time period to comment on applications; accountability for decisions should be at the lowest level (i.e. Council) with fewer referrals to the Ontario Municipal Board (only where there is a declared Provincial interest); delegating approval process for minor applications (e.g. conversion, parking lots) by a sub-committee or appointed municipal representative".

10. *Whether regulations such as density and uses would fall under site plan control as opposed to the zoning by-law.*
11. *Ensure, where there is no objection, that removal of the 30 day appeal period does not circumvent due process.*

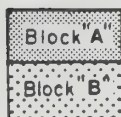
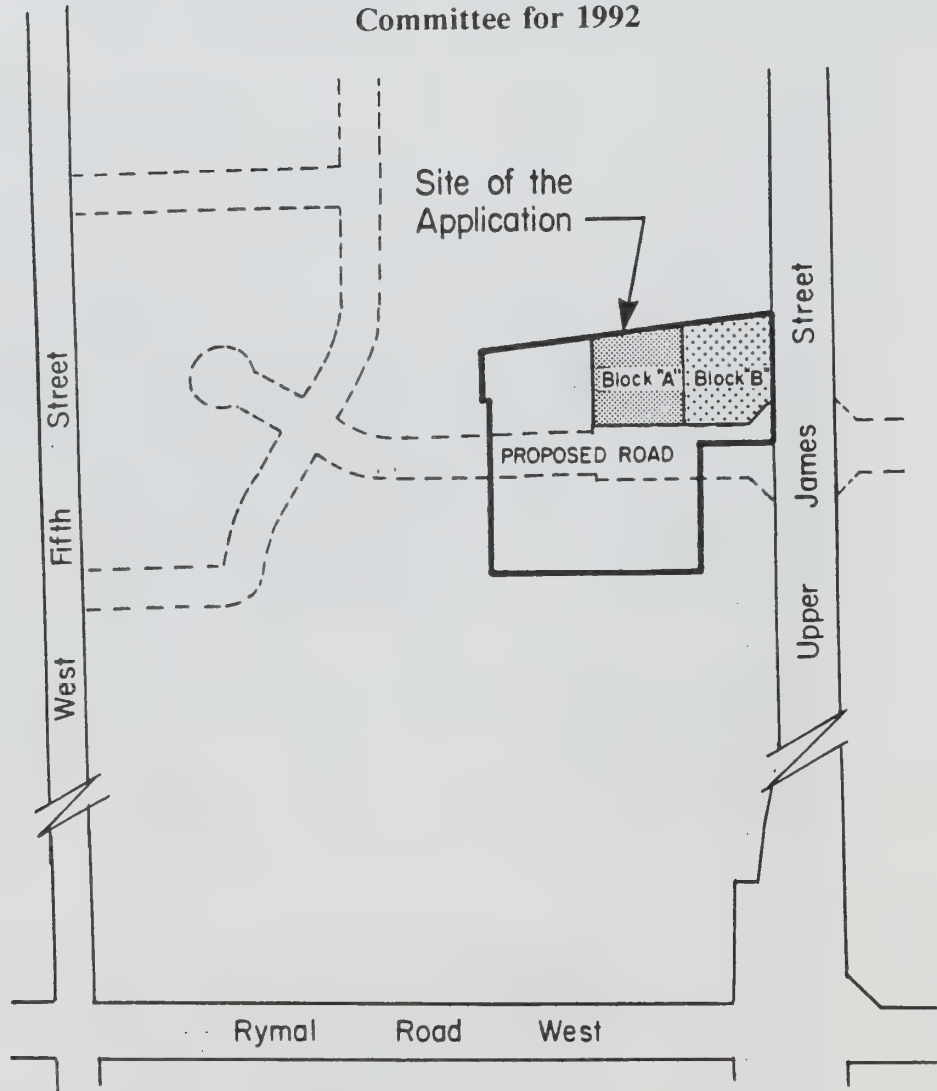
1992 November 10

Appendix "E" referred to in
Section 11A of the Nineteenth
Report of the Planning and Development
Committee for 1992



1992 November 10

Appendix "F" referred to in
Section 11B of the Nineteenth
Report of the Planning and Development
Committee for 1992



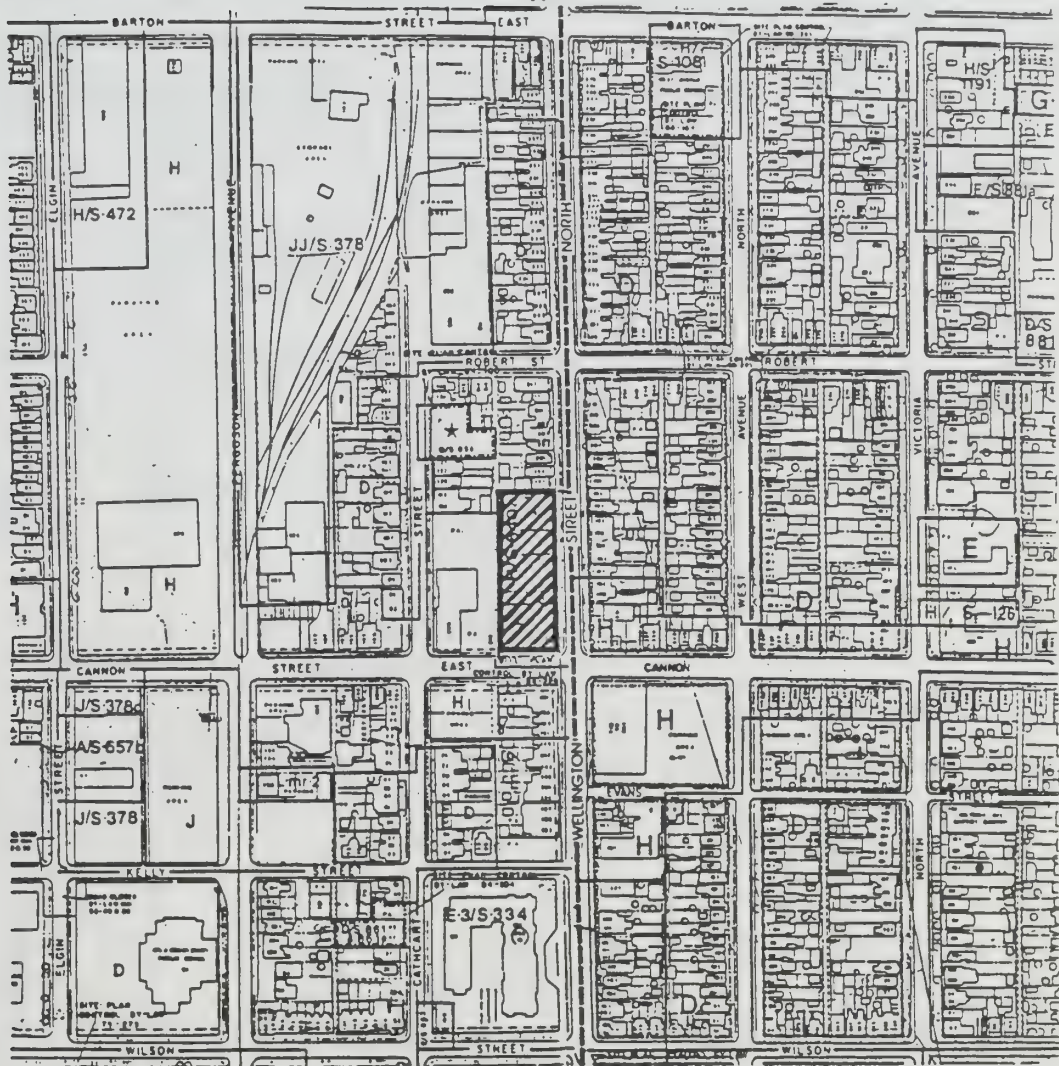
Legend

Proposed Modification to the established "AA" (Agricultural) District Regulations

Proposed Modification to the established "C" (Urban Protected Residential, etc.) District Regulations

1992 November 10

Appendix "G" referred to in
Section 12 of the Nineteenth
Report of the Planning and Development
Committee for 1992



Legend



Site of the Application



**Appendix "H" referred to in
Section 13 of the Nineteenth
Report of the Planning and Development
Committee for 1992**



C-22



**Appendix "I" referred to in
Section 14A of the Nineteenth
Report of the Planning and Development
Committee for 1992**

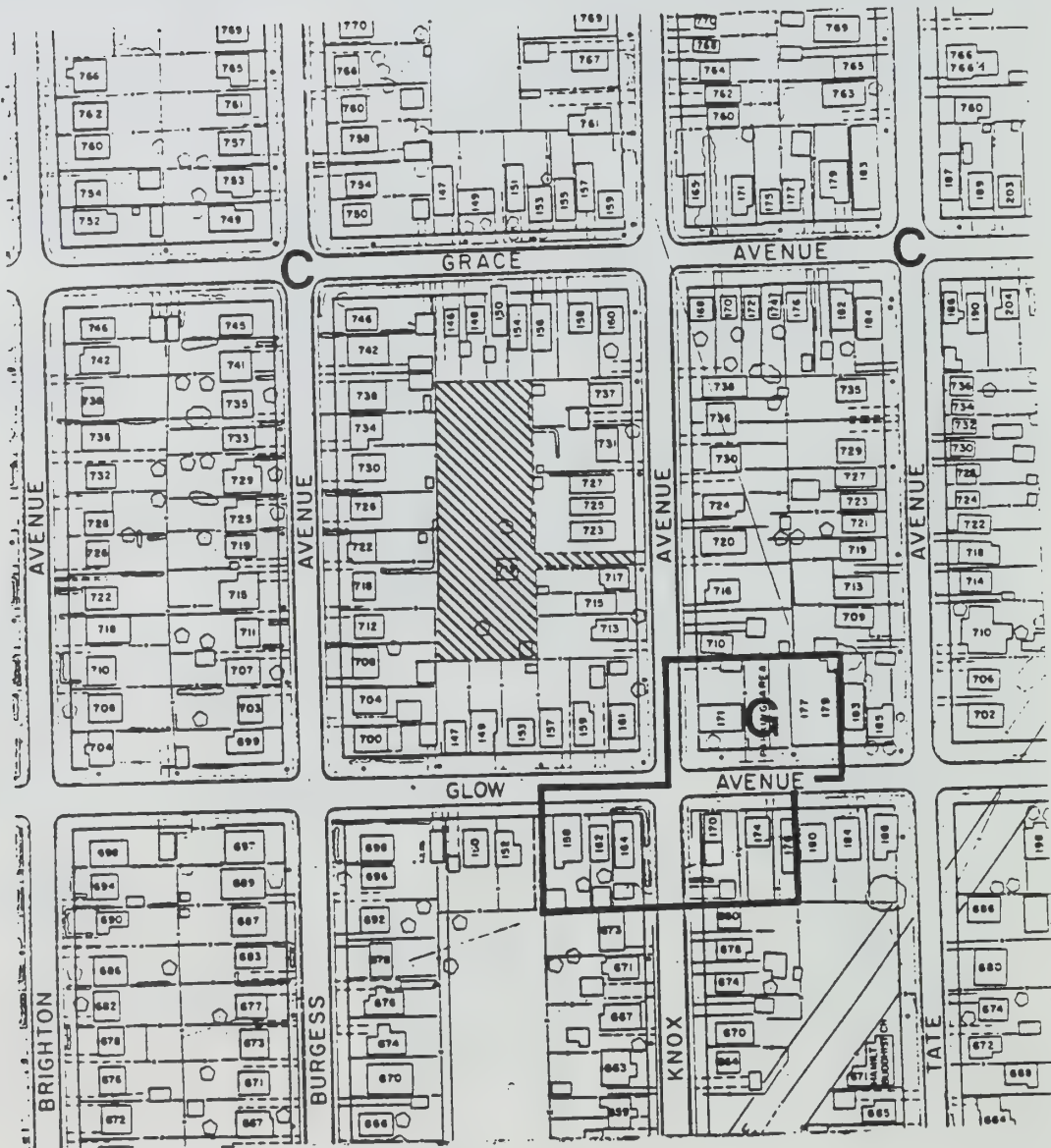


Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified.

Proposed modification to the established "C" (Urban Protected Residential, etc.) District regulations.

1992 November 10

Appendix "J" referred to in
Section 15A of the Nineteenth
Report of the Planning and Development
Committee for 1992



Legend



Site of the Application



1992 November 10

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his SECOND Report for 1992 and respectfully recommends:

1. That Herbert Joseph be appointed as a citizen member to serve on the Mayor's Race relations Advisory Council for a term to expire 1994 November 30 to fill a vacancy created by a resigning member.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1992 October 26

1992 November 10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SECOND** Report for 1992 and respectfully recommends:

1. (a) That a purchase order be issued to Nova-Quintech, St. Francois-du-lac, Quebec, in the amount of \$1,168,956.62 including all applicable taxes, being the lowest acceptable of three proposals received, for the replacement of One (1) 100 foot Aerial Ladder Truck, Unit #1635, and Two (2) Triple Combination Pumpers, Units #1644 and #1645 for the Hamilton Fire Department, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's submission, and be financed through Vehicle Replacement Account No. 5X502 00101.

(b) That contracts for the purchase of these units be entered into satisfactory to the City Solicitor.
2. That the City's share of "Chedmac Drive" Servicing Costs adjacent to the new West Mountain Twin Pad Arena, at a cost of \$263,475., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
3. (a) That Part 2, Section 19 of By-law 92-172 relating to Taxi Cabs and Livery Vehicles be amended to include and allow for one interior display unit to be installed in the vehicle, not exceeding 16" x 48", positioned in such a way as not to obscure the vision of the driver, or the view from the rear seat of the vehicle of the photo identity card, meter, licence and tariff card and not to obstruct the access of the passenger.

(b) That the City Solicitor be authorized and directed to prepare the necessary By-law amendment.
4. That the Manager of Purchasing be authorized to call for individual quotations for the supply and installation of carpeting material on the lobby/second floor staircase of City Hall and in the Council Chamber utilizing a medium shade of royal blue carpet comparable to Smokey Blue Total Concept II produced by Crossley Carpets.

5. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source of Financing
a) 328541002	City Hall - Ceramic Belting Repair	\$ 40,000.00	\$ 0.00	\$40,000.00	Capital Levy
b) 318841001	Major Maintenance to Civic Buildings (1988)	250,000.00	249,908.50	91.50	Reserve for Capital Projects
c) 318941003	Major Maintenance to Civic Buildings (1989)	250,000.00	250,000.00	0.00	Reserve for Capital Projects
d) 319041004	Accommodation Requirements - Law Department	175,000.00	175,000.00	0.00	Reserve for Capital Projects
e) 319151013	City Hall - Additional Transformer	50,000.00	0.00	50,000.00	Reserve for Capital Projects
TOTAL				\$90,091.50	

6. (a) That an Option to Purchase, executed by Mario Marcoccia on 1992 October 2, and scheduled for closing on or before 1993 January 21, for the purchase of 398-400 and 406 Barton Street East, more particularly described as part of Lots 4, 6, 7 and 8, Registrar's Compiled Plan 1409, having a frontage of 22.226 metres (72.92 feet) more or less, along the southern limit of Barton Street East, by a depth of 44.906 metres (147.33 feet) more or less, comprising an area of 1,511.02 square metres (16,265.00 square feet) more or less, together with all structures erected thereon, be approved and completed and the purchase price of \$235,000. be charged to Account No. 5698-909145001 (Land Acquisition - General).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

7. That the City lease the former Bay/King dealership and its adjacent parking lot (the "site") owned by Leggat Investments Limited and Oakland "6" Limited at the south-west corner of King Street West and Bay Street South for a Hamilton Parking Authority lot.

Such lease to be in a form satisfactory to the Hamilton Parking Authority and the City Solicitor and shall include the following terms:

- (a)
 - (i) An initial minimum lease term commencing 1993 February 1, or the date of execution of the Lease - whichever is later, continuing to 1994 November 30.
 - (ii) An Option in favour of the City to renew the Lease on the terms outlined herein for a further Lease term commencing 1994 December 1, and continuing to 1998 January 31, providing such renewal of the Lease is approved by the Ontario Municipal Board. During the initial Lease term, the City shall apply for the Municipal Board approval.
 - (iii) The City Solicitor is authorized to apply to the Ontario Municipal Board for approval of the lease renewal from 1994 December 1 to 1998 January 31.
- (b) A minimum annual rent during the Lease term and the said renewal of Lease of \$165,000. payable in advance, in equal monthly instalments.
- (c) Rent payable for the third, fourth and fifth years (from the commencement of the initial Lease term) shall include:
 - (i) The minimum annual rent set out above.
 - (ii) In addition to the said minimum annual rent the Lessee shall pay to the Lessor a Participation Rent from and after the third year of the term, calculated as twenty-five percent of gross revenues (in each of such subsequent years) in excess of gross revenues collected by the Lessee in the second year of the term. For the purpose of this calculation, "year" shall mean a twelve (12) month period commencing on February 1.

"Gross revenues" shall mean the sum of all monies received by the Lessee with respect to the leased premises before deductions for taxes, operating expenses, or any other deductions whatsoever. Such Participation Rent shall be paid within ninety (90) days of the end of each year of the term.

- (d) Lessee shall pay hydro, power and other utility charges and maintain and operate the parking lot, including payment of business and realty taxes.
 - (e) The Lease shall not commence until:
 - (i) The Lessor has, at its expense, demolished, and removed (and filled in) from the site the existing two buildings (showroom and main repair garage), structures and utility lines and levelled the site to ground level with fill.
 - (ii) The Lessor has left the site in a condition suitable for and satisfactory to the Lessee's parking lot operation purposes including the lessee's grading and paving of the site.
 - (iii) The Lessor is the owner of the site free and clear of all encumbrances and leases.
 - (f) The Lease shall not commence where the Lessee has received or has information that a Notice or demand by the Ministry of the Environment or other regulatory agency exists and remains to be fulfilled regarding the presence, securing or removal of any contaminant or other waste from the site. The lease shall also include the further environmental provisions set out in Schedule "A" annexed herewith and marked Appendix "A".
8. (a) That the existing licence form be utilized for the licensing of Tobacco Shops; and,
- (b) That a separate warning sign, attached herewith and marked Appendix "B", be provided at no cost to the shop owners.

9. That a purchase order be issued to Brown Collett, Mississauga, to supply and deliver office supplies to various departments for a period ending 1994 January 31, with an option in favour of the City to extend for one additional twelve month period, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's Proposal, and be financed through various approved Office Supplies Accounts.
10.
 - (a) That the Management Team be directed to receive and review for consideration in the 1993-2002 Provisional Capital Budget the formal request from the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) for their Headquarters Construction requesting a revised amount of net matching City contribution of \$2,500,000. and a revised construction date of 1993 March; and,
 - (b) That the Management Team be further requested to consider and review the Loan Guarantee in the amount of \$2.5 million requested by H.S.P.C.A.; and,
 - (c) That the Treasurer be directed to meet with the H.S.P.C.A. to discuss the City's contribution to the Headquarters Construction project.
11. That the Crime Stoppers Programme be utilized to assist in the recovery of the Mayor's Chain of Office which has been missing since approximately 1992 July 23.
12. That in accordance with Council's Policy respecting Selection Procedures for appointments to Committees/Boards/Commissions, which was approved by City Council on 1992 October 6th, the following members of Council be appointed to serve on a Selection Committee, for the next twelve (12) month period (1992 November - 1993 November), for the purpose of recommending appointments for vacancies which occur during that period:
 - (a) Alderman F. Eisenberger
 - (b) Alderman B. Charters
 - (c) Alderman H. Merling
 - (d) Alderman T. Anderson
 - (e) Alderman F. D'Amico

1992 November 10

13. That leave be granted to introduce the following Bills:

- (a) Bill H-68 A By-law to authorize Baseball Facilities Development.
- (b) Bill H-69 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 November 5**

SCHEDULE "A"

Appendix "A" referred
to in Section 7 of the
Twenty-Second Report of the
Finance and Administration
Committee for 1992.

Notwithstanding any other provision to the contrary the Lessor (Leggat and Oakland) acknowledges and agrees that the Lessor [and not the Tenant-(City)] is responsible for the existing contaminants (if any) and other wastes (if any), (hereafter called the "contaminants"), situate upon and within the demised premises as of the date prior to the Tenant taking possession of the demised premises and that the Lessor is responsible for the costs and any liability or claim which may arise as a result thereof including orders from any governmental authority including liability for the clean up of spills or in tort - during the term of the lease or subsequent to its expiry or other termination.

In particular, and without limiting the generality of the foregoing, the Lessor agrees:

- a) That if contaminants are discovered at any time or times during the lease term or the renewal thereof, that the Lessor shall be solely responsible at its expense for the costs of their security and/or removal as required by governmental authority, or, if there is no such requirement, as required by the Lessee where in the opinion of the Lessee such security or removal is required to enable the Lessee to enjoy the demised premises for the purposes of the Lessee.
- b) In such event, the Lessee, upon notice to the Lessor, may require the Lessor to forthwith at its expense, enter the demised premises and remove and/or secure the contaminants in order to make the premises satisfactory to the Lessee for its purposes.
- c) In the event that the Lessee at any time or times during the lease or renewal thereof cannot use a portion or all of the demised premises due to the foregoing or due to any order or request from any governmental authority (due to the contaminants) received by the Lessor or by the Lessee or both of them, the Lessor agrees that the minimum annual rental shall be reduced on a pro rata basis for each subsequent month after the first relative to the portion of the premises not available to the balance of the premises available to the Lessee for its uses.
- d) The phrase "order" in this lease includes administrative orders, stop orders, control orders, preventive orders and clean-up orders issued by the Ontario Ministry of the Environment.
- e) To indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, taxes, damages, expense and loss which may be made against the Lessee during the term of the lease or subsequent to the lease term by reason of or in any way arising out of the foregoing matters.



Appendix "B" referred
to in Section 8 of the
Twenty-Second Report of the
Finance and Administration
Committee for 1992.

**The Corporation of the City of Hamilton
By-law No. 92-144**

**WARNING PROHIBITING
SALE OF TOBACCO TO MINORS**

The sale of tobacco to persons under 18 years of age is limited by Federal and Provincial laws, which provide:

Persons under 16 years of age may not purchase or be sold cigarettes or cigarette papers.

Any person or their agent, being the owner of property on which a vending machine is located, may take from any person under 16 years of age, cigarettes, cigars or tobacco which are being purchased from the machine, or which are about to be used by the person under 16.

No one may sell or give tobacco, cigars or cigarettes to someone under 18 years of age for their own use.

Persons being 16 or 17 years of age must supply the written permission of a parent or guardian to purchase cigarettes cigars or tobacco.

PROOF OF AGE MAY BE REQUIRED

BILLS

CITY COUNCIL

1992 November 10

THE CORPORATION OF THE CITY OF HAMILTON

**BY-LAW NO. 92-
TO AMEND BY-LAW NO. 92-152
REGARDING FIELDWAY DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments hereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton did enact By-Law No. 92-152 to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below:

AND WHEREAS it is necessary to amend the reference plan number:

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That By-Law No. 92-152 is hereby amended by substituting all references to Plan 62R-11929 to Plan 62R-11979.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to register the By-Law on title on the following land.

Parts of Lot 11, Concession 6 (former geographic Township of Barton) designated Parts 2, 3, 6, 9, 10, 12, 14, 17 and 20, Plan 62R-011054 and Parts 3 and 5, Plan 62R-11979.

in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

3. By-Law No. 92-152 enacted on June 30th, 1992 and registered as Inst. No. 125495 (new) (as amended by this By-Law) is hereby confirmed.

PASSED this day of A.D. 1992.

Acting City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

TO INCORPORATE PARTS 2, PLAN 62R-12045
INTO ELITE DRIVE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elite Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elite Drive.

Part of Lot 10, Concession 8, (former geographic Township of Barton) designated as Part 2, Plan 62R-12045.

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

Acting City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalk on the east side of UPPER PARADISE ROAD from Stone Church Road to approx. 187m southerly and from approx. 86m south of Skyview Drive to approx. 83m southerly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 25 of the 6th Report of the Transport & Environment Committee on May 12, 1992;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 4 of the 12th Report of the Finance & Administration Committee on May 12, 1992;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 28th day of August, 1992, issue Order No. E920755 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$27,700.00 and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$19,736.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$27,700.00.

2. The share or portion of the estimated cost of the works in the amount of \$19,736.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$19,736.00;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1992.

Acting City Clerk

Mayor

(1992) 6 R.T.E.C. 25, May 12

(1992) 12 R.F.A.C. 4, May 12

SCHEDULE "A"

The construction of concrete sidewalk on the east side of UPPER PARADISE ROAD from Stone Church Road to approx. 187m southerly and from approx. 86m south of Skyview Drive to approx. 83m southerly at the costs not exceeding those set out below:

City's Share	\$ 7,964.00
Owners' Share	<u>19,736.00</u>
TOTAL ESTIMATED COST	<u>\$ 27,700.00</u>
Estimated Cost per metre frontage	\$ 80.00
Fifteen (15) annual instalments	

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Cranbrook	Eastbound and Westbound	Courtland
Gildea	Westbound	East 25th
Seeley	Westbound	East 25th".

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Province	East	18 feet 101 feet north of Cannon	7:00 a.m.-5:00 p.m. Monday to Friday".
-----------	------	----------------------------------	---

and by deleting therefrom the following item, namely:-

"West	East	20 feet 76 feet north of Hunter	8:00 a.m.-5:00 p.m. Monday to Friday".
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PASSED THIS DAY OF , A.D. 1992.

 ACTING CITY CLERK

 MAYOR

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from the OUTBOUND COLUMN the following item, namely:-

"Greenhill at Summercrest"

and by adding to the INBOUND COLUMN the following item, namely:-

"Greenhill at Summercrest".

2. **Schedule 24 (Parking Meter Locations)** is hereby amended by adding to **Section 3(b) (One Hour Limit)** the following item, namely:-

"Rebecca	North	from a point 25 feet east of Ferguson to a point 27 feet easterly therefrom'.
----------	-------	--

3. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Frederick	East	commencing at a point 72 feet north of Britannia to a point 21 feet northerly therefrom	Anytime
Frederick	West	commencing at a point 72 feet north of Britannia to a point 22 feet northerly therefrom	Anytime
Leeming	West	commencing at a point 130 feet north of Cannon to a point 27 feet northerly therefrom	Anytime

and by deleting therefrom the following item, namely:-

"Rosslyn	West	commencing at a point 241 feet north of Cannon to a point 26 feet northerly therefrom, namely:-	Anytime".
----------	------	---	-----------

PASSED THIS DAY OF , A.D. 1992.

ACTING CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

HOUSING INTENSIFICATION STRATEGY

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 17th Report of the Planning and Development Committee at its meeting held on the 13th day of October 1992, recommended that Zoning By-law No. 6593 be amended to provide for a general text amendment to implement the "Housing Intensification Strategy" respecting residential conversions, as adopted by City Council on the 25th day of June 1991;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)A.(iv) of Zoning By-law No. 6593 is hereby deleted in its entirety.

2. Section 7A(1)(a) of the said by-law is amended by deleting "(ii)," so that the clause shall read as follows:

"as provided in clauses 8(1)(i), (iia) and (iiaa);"

3. The following subclauses of the said by-law are deleted in their entirety:

- (i) Section 8(1)(ii);
- (ii) Section 9.(1)(ii);
- (iii) Section 10.(1)(iv);
- (iv) Section 10A(1)(iii);
- (v) Section 10B(1)(iv);
- (vi) Section 10C(1)(iv);
- (vii) Section 11.(1)(ii); and,
- (viii) Section 11B(1)(iv).

4. Section 10A(3)(ii)(a) of the said by-law is amended by deleting "or converted dwelling" so that the clause shall read as follows:

"for a single-family dwelling as permitted in a "C" District, a side yard along each side lot line of a width of at least 1.2 metres (3.94 feet);"

5. Section 10A(3)(ii)(b) of the said by-law is amended by adding "or" between the words "dwellings, a" in the second line and deleting "or a converted dwelling" in the third line so that the clause shall read as follows:

"for a two family dwelling except a pair of semi-detached single family dwellings, or a three-family dwelling, a side yard along one side lot line of a width of at least 3 metres (9.84 feet),....."

6. Sections 14(1a), (1b) and (1c) of the said by-law are deleted in their entirety.

7. Section 19 of the said by-law is deleted in its entirety and replaced with the following:

"Section 19 - Residential Conversion Requirements

19(1) "AA", "B", "B-1", "B-2", "C", "D" and "R-2" Districts

Notwithstanding anything contained in this By-law, any single-family detached dwelling in an "AA" (Agricultural), "B" (Suburban Agriculture and Residential, etc.), "B-1" (Suburban Agriculture and Residential, etc.), "B-2" (Suburban Residential), "C" (Urban Protected Residential, etc.), "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) and "R-2" (Urban Protected Residential - One and Two-Family Dwellings) Districts may be converted to contain not more than two dwelling units, provided all the following requirements are complied with:

- (i) each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1 m (6.9 ft.), but excluding the area of the cellar, if any, and of any porch, verandah or other such space which cannot lawfully be used as living quarters;
- (ii) the applicable zoning district regulations for a single-family detached dwelling shall apply, except the minimum lot area shall be 270 m²;
- (iii) except as permitted in clause (iv), the external appearance and character of the dwelling shall be preserved;
- (iv) there shall be no outside stairway other than an exterior exit;
- (v) parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:

Location

- (1) it may be located in a required front yard provided that the required area for parking shall not occupy more than 50% of the gross area of the front yard;
- (2) not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials; and,
- (3) manoeuvring for the parking space may be permitted off-site.

19(2) "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts

Notwithstanding anything contained in this By-law, any dwelling in a "DE" (Low Density Multiple Dwellings), "DE-2" (Multiple Dwellings), "DE-3" (Multiple Dwellings), "E" (Multiple Dwellings, Lodges, Clubs, etc.), "E-1" (Multiple Dwellings, Lodges, Clubs, etc.), "E-2" (Multiple Dwellings) and "E-3" (High Density Multiple Dwellings) Districts may be converted to provide two dwelling units or more, provided all the following requirements are complied with:

- (i) each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1 m (6.9 ft.), but excluding the area of the cellar, if any, and of any porch, verandah or other such space which cannot lawfully be used as living quarters;
- (ii) except as permitted in clause (iii), the external appearance and character of the dwelling shall be preserved;
- (iii) there shall be no outside stairway other than an exterior exit;
- (iv) the yard requirements of the applicable zoning district in which the residential building is located shall apply to any extensions or enlargements;
- (v) the following lot area requirements shall apply:
 - (1) a minimum lot area of 270 m² shall be provided and maintained for one to three dwelling units;
 - (2) a minimum lot area of 450 m², but not less than 65 m² of lot area per dwelling unit, shall be provided and maintained for more than three dwelling units;

- 4
- (vi) parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:

Location

- (1) it may be located in a required front yard provided that the required area for parking shall not occupy more than 50% of the gross area of the front yard;
- (2) not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials; and,
- (3) manoeuvring for the parking space may be permitted off-site.

19(3)

"H" Districts

- (i) Notwithstanding any other provisions of this by-law, any building or part thereof, existing on the 8th day of March, 1983 within an "H" (Community Shopping and Commercial, etc.) District, may be converted to contain not more than ten dwelling units;
- (ii) The average of the floor areas, of all dwelling units referred to in clause (i), shall be at least 65 square metres in area;
- (iii) Every building converted in accordance with clause (i) shall either:
 - (1) be situate on a lot having a minimum radial separation distance of 180.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a building converted or as maybe converted in accordance with clause (i); or,
 - (2) maintain the ground floor for commercial uses and provide parking in accordance with the provisions of Section 18A."

8. Section 18A(14) of the said by-law is deleted in its entirety and replaced with the following:

"18A.(14a) Except for single-family dwellings and two-family dwellings erected prior to the 14th day of December 1971, no part of a required parking area in a residential district shall be located in a front yard.

(14b) For single-family dwellings and two-family dwellings erected prior to the 14th day of December 1971, required parking may be provided and maintained in the front yard provided that:

- (i) the required area for parking shall not occupy more than 50% of the gross area of the front yard; and,
- (ii) not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials."

9. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

10. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of , A.D. 1992.

Acting City Clerk

Mayor

(1992) 17 R.P.D.C. 1, October 13
City Initiative 91-G

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 73-268

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 15, 19, 20 AND 24 BOSNA COURT
AND NOS. 39, 43, 47 AND 51 ALGONQUIN COURT

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 73-268 on the 9th day of October 1973 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the land located south of Mohawk Road and west of Upper Kenilworth Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of February 1974, (File No. R 74127);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 13 of the 18th Report of the Planning and Development Committee at its meeting held on the 27th day of October 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 73-268 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) for the purposes of this by-law, the rear lot line shall be the boundary line along Mohawk Road East.

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 73-268, applicable to the land comprised in Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) for the purposes of this by-law, the rear lot line shall be the boundary line along Mohawk Road East.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "D" District provisions, subject to the special requirements referred to in sections 1 and 2 of this by-law.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-285a.

5. Sheet No. E-59 of the District Maps is amended by marking the lands referred to in section 2 of By-law No. 73-268 and sections 1 and 2 of this by-law, S-285a.

6. In all other respects, By-law No. 73-268 is hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

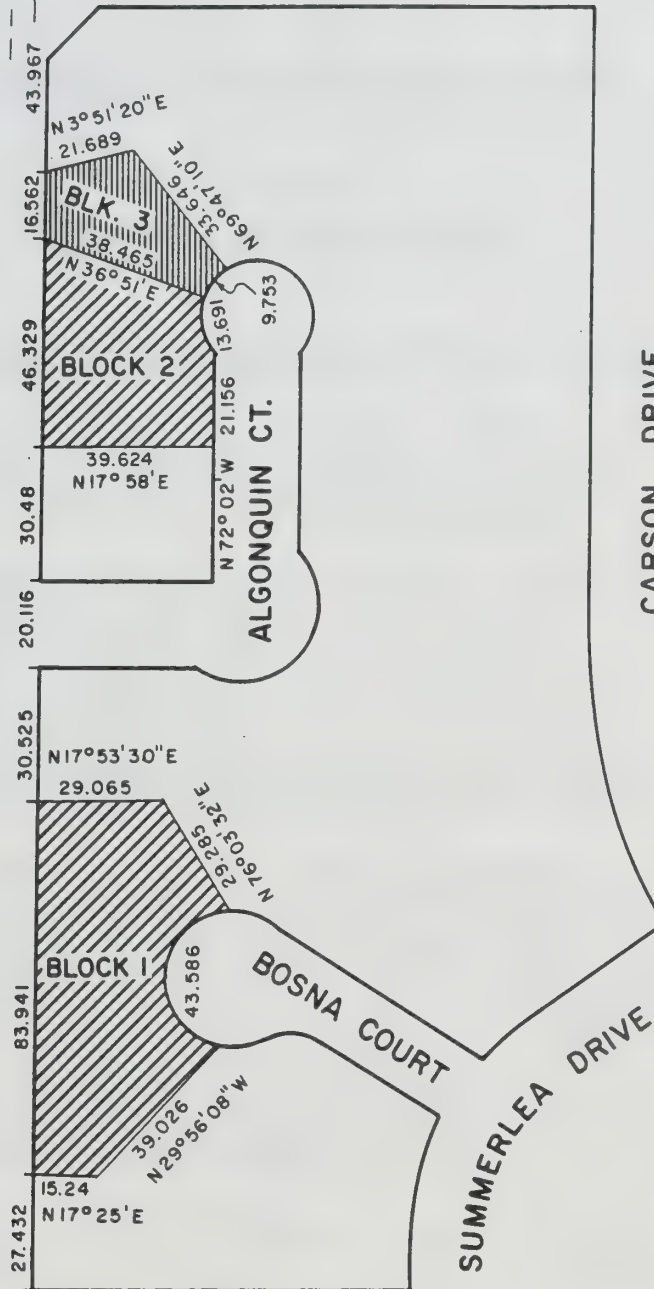
Acting City Clerk

Mayor

UPPER KENILWORTH AVENUE

MOHAWK ROAD EAST

N 72° 02' W



NOTE: All dimensions are in metres

REGENCY STREET

This is Schedule "A" to By-Law No. 92-.....
Passed the day of, 1992.

Clerk

Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 92-.....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCKS 1 & 2



Modification to the "C" (Urban Protected Residential, etc.) District.



Further modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District.

North



Scale
NOT TO SCALE

Date
OCTOBER, 1992

Reference File No.
C.I. 92-F

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Authorize:

BASEBALL FACILITIES DEVELOPMENT

WHEREAS the Ontario Municipal Board by Order dated the 26th day of June, 1992, (File No. E 920503), approved,

- (a) baseball facilities development at an estimated cost of \$1,500,000, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$1,500,000 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS the said Order was amended by Order of the Ontario Municipal Board dated the 30th day of September 1992.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the Baseball Facilities Development may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 26th day of June, 1992, as amended by the Ontario Municipal Board Order dated the 30th day of September, 1992.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.
3. By-law No. 92-217, enacted on the 25th day of August, 1992 is repealed.

PASSED this day of , A.D. 1992.

Acting City Clerk

Mayor

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF NOVEMBER A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of November A.D. 1992

ACTING CITY CLERK

MAYOR

URBAN/MUNICIPAL

CA4 ON HBL AOS
A31
1992



MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1992 November 24
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

AGENDA

1. *National Anthem*

Philpott Memorial Church Youth Choir "Unison"

2. *Opening Prayer*

*Father Chester Chmurzynski
St. Stanislaus Roman Catholic Polish Church*

3. *Presentations*

- (a) *Certificate of Recognition - Bill Sharpe, President, Lakeport Brewery*
- (b) *Civic Award - Hamilton and District Five Pin Bowling Association for winning the National Five Pin Bowling Championships held in Victoria, British Columbia*

4. *Minutes*

- (a) *1992 November 10*

5. *Petitions and Correspondence*

URBAN MUNICIPAL
NOV 25 1992
GOV 'MENT DOCUMENTS

6. *Reports of the Standing Committees*

(b) *Parks and Recreation Committee*

(c) *Planning and Development Committee*

(h) *Finance and Administration Committee*

7. *Notices of Motion for Next Meeting*

8. *First Reading of the Bills*

9. *Second Reading of the Bills - Committee of the Whole*

10. *Third Reading of the Bills*

11. *Question Period*

12. *Adjournment*

MINUTES

1992 November 10

Minutes of Hamilton City Council
1992 November 10
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

City Council commenced with the playing of the National Anthem.

* * * * *

Reverend Dr. John Allsop, St. John's United Church led Council in prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Pat Dillon in recognition of his co-operation and leadership as Business Manager of Local 105 of the International Brotherhood of Electrical Workers.

* * * * *

Mayor R. M. Morrow presented Civic Awards to the Hamilton Hoppers Skipping Team for winning the 1992 Ontario Provincial Championships and the 1992 Canadian Championship.

* * * * *

It was moved by Alderman Charters and seconded by Alderman Jackson that the minutes of the meeting of City Council held 1992 October 27 with respect to the tabling of Section 29 (a) ii of the Eleventh Report of the Transport and Environment Committee and Section 5 (b) of the Twenty-First Report of the Finance and Administration Committee for 1992 regarding local improvements on Upper Kenilworth Avenue be amended by deleting the words "for two weeks."
CARRIED.

* * * * *

The minutes of the meeting held 1992 October 27 were adopted as amended and the minutes of the special meeting held 1992 October 29 were adopted as circulated.

* * * * *

Correspondence:

1. Letter dated 1992 November 5 from Delmar Drive Petitioners respecting parking signs placed on Delmar Drive, east of Laurier Avenue in the Buchanan Park Survey.

Received.

2. Application dated 1992 November 3 from G. Sebastianing, 10 Hempstead Drive, Unit 6, Hamilton, Ontario for a further modification to the "M-14" (Prestige Industrial) District regulations for property at 10 Hempstead Drive, Unit 6, Hamilton, Ontario.

Received.

3. Application dated 1992 November 3 from Enrico Mancinelli and Ricardo Persi, 16 Woodside Drive, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "D" (Urban Protected - One and Two Family, Dwellings, Townhouses, etc.) District for property at 1340, 1342 and 1348 Upper Sherman Avenue, Hamilton, Ontario.

Received.

4. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-242 regarding property located at the south east corner of Stone Church Road East and Upper Wentworth Street, Hamilton, Ontario.

Received.

5. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-243 regarding property located at 1630 Upper Gage Avenue and 867 Rymal Road East, Hamilton, Ontario.

Received.

6. Letter dated 1992 November 10 from Grand and Toy Limited respecting the office supply tender referred to in Section 9 of the Finance and Administration Committee report.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

Section 18 Re: Red Hill Creek Expressway property acquisitions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding Parking Regulation on Delmar Drive. **CARRIED.**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following resolution be added to the Twelfth Report of the Transport and Environment Committee as Section 24:

24. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 1,087 feet east of Columbia Drive and extending to Laurier Drive, and
- (b) That the City Traffic By-law 89-072 be amended accordingly. **CARRIED.**

* * * * *

PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT

Section 1 Re: Arts in the Public Places Policy

It was moved by Alderman Kiss and seconded by Alderman Drury that Section 1 of the Twentieth Report of the Parks and Recreation Committee, Appendix "A" (Municipal Capital Projects and Public Art) be amended by deleting the words "up to 1%" and inserting in lieu thereof "1%" in the Art in Public Places Policy.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Wilson. -4.

NAYS: Aldermen Cooke, Agro, McCulloch, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13. **LOST.**

* * * * *

It was moved by Alderman Charters and seconded by Alderman Merling that Section 1 of the Twentieth Report of the Parks and Recreation Committee be tabled.

Recorded vote.

YEAS: Aldermen Charters, Merling. -2.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -15. **LOST.**

* * * * *

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Merling, Charters. -3. **CARRIED.**

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT

Section 15 Re: Zoning Application 92-032 - 719 Knox Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

* * * * *

REPORT OF HIS WORSHIP MAYOR R.M. MORROW - SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-SECOND REPORT

Section 4 Re: Carpeting - Lobby/second floor staircase and council chamber

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Kiss. -1. **CARRIED.**

* * * * *

Section 7 Re: Leasing of Bay Street South and King Street West former Bay\King dealership property

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 9 Re: Purchase Order - Office Supplies

It was moved by Alderman Morelli and seconded by Alderman Cooke that Section 9 of the Twenty-Second Report of the Finance and Administration Committee be referred back with instructions that the four tenderers have an opportunity to make presentations to the Finance and Administration Committee. **CARRIED.**

<p>RESOLUTIONS</p>

Section 1 Re: Second Level Lodging Home Licence Application re: 185 Delaware, Hazel Ross.

It was moved by Alderman Cooke and seconded by Alderman Drury that Section 1 of the Seventh Report for 1992 of the City of Hamilton Licensing Committee, which was approved by City Council on 1992 October 27th respecting the denial of a second level lodging home licence application for 195 Delaware Avenue, be reconsidered. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Section 1 of the Seventh Report for 1992 of the City of Hamilton Licensing Committee, be referred back. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Report of His Worship Mayor R. M. Morrow, the Finance and Administration Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-87, A-88, A-89, A-90, A-91.

C-119, C-120.

H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

S. G. Hollowell, Acting City Clerk
1992 November 10

CORRESPONDENCE

Correspondence:

1. Application dated 1992 November 6 from 891157 Ontario Inc., Hamilton, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations for property located at Nos. 1010-1024 Upper Wentworth Street, Hamilton, Ontario.

Recommendation:

Be Received.

2. Letter dated 1992 November 19 from 394553 Ontario Limited, 688 Concession Street, Hamilton, Ontario respecting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a take-out restaurant/delicatessen within the existing building (unit 664) for property located at 664-682 Concession Street.

Recommendation:

Be Received.

394553 ONTARIO LIMITED
688 Concession Street
Hamilton Ontario
L8V 4T1

2.

RECEIVED

NOV 19 1992

November 19, 1992


CITY CLERKS

TO CITY COUNCIL

We are the owners of 664 Concession Street. We decided to lease 664 Concession Street to Mr. & Mrs. Pasquale (for the establishment of a food service) based on our relationship with Mrs. Pasquale as a long term employee at the Henderson Hospital. We certainly would not lease the unit to anyone without a reliable reference or who might have questionable plans for Unit 664.

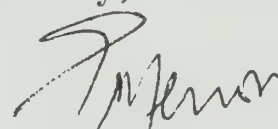
Mr. & Mrs. Pasquale will be committed to a 5 year lease and we look forward to a clean & reputable business at Unit 664. Mr. & Mrs. Pasquale do not have sub lease approval.

You may rely on our integrity as the owners to protect Unit 664 from any take-out food service which would transform this corner into a location where loitering & littering might be a problem.



Dr. L. Yaksich

Sincerely,



Dr. G. Menon

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1992 and respectfully recommends:

1. That the concept of a "Wall of Fame" at Ivor Wynne Stadium, as proposed by the "Cats Claws - Tiger-Cat Fan Club", be approved.
2.
 - (a) That approval be given the action taken by the Parks and Recreation Committee in purchasing one (1) table of ten (10) people for the "Tiger-Cat Wall of Fame Dance" held 1992 November 20.
 - (b) That the Finance and Administration Committee be requested to recommend a method of financing the cost of \$125. for this table.
3.
 - (a) That the City of Hamilton enter into a Lease Agreement with the Regional Municipality of Hamilton-Wentworth to lease approximately 1 hectare of Regional land near Greenhill Avenue and Rosseau Road for the construction of a baseball facility.
 - (b) That the Lease Agreement contain the following terms and conditions:
 - i. Term - Commences 1992 June 1 and terminates 2012 May 31.
 - ii. Rental Rate - \$1. per year plus any applicable taxes to be credited to Account No. CH5X921 00102 (Reserve for Property Purchases - Parks).
 - iii. The City of Hamilton to pay all operating costs including grass cutting of the entire site and assume all liabilities arising out of this recreational use.
 - iv. The City shall not interfere with the Region's operation of the sewage facility on the said lands.
 - v. That the Commissioner of Transportation and Environmental Services approve all plans prior to construction.

- vi. That the Lease contain a three (3) month termination clause; however, in the case of emergencies, the Region may terminate the Agreement immediately.
 - vii. That the Lease Agreement be prepared by the City Solicitor in a form satisfactory to the Commissioner of Legal Services.
 - (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
- 4.
- (a) That an Offer to Purchase (Easement) Agreement, executed by Union Gas Limited (D. J. Moore, Vice-President and R. S. Valdis, Assistant Secretary) on 1992 October 27 and scheduled for closing on or before 1993 January 18, for the purchase of an easement for the installation of a gas pipeline composed of part of Lot 17, Concession 7, in the Geographic Township of Barton, being a 2 metre strip of land along the southerly limit of Parts 2, 7 and 9 on Plan 62R-12302, be approved and completed and the funds derived from this sale of \$4,900. be credited to Account No. CH4X501 00201 (Reserve for Acquisition of Parkland).
 - (b) That a certified deposit cheque in the amount of \$490. is being held by the City Treasurer pending City Council approval.
 - (c) That it is understood and agreed that:
 - i. an easement will be granted to the Region over Parts 2, 7, 9 and 10 on Plan 62R-12302 for sewer purposes.
 - ii. Union Gas will provide a survey, satisfactory to the Regional Surveyor, showing subject easement, prior to the date of closing.
 - iii. the Purchaser will not remove any trees from the easement site without prior approval of the Manager of Parks.
 - (d) That an Authority to Enter Agreement, executed by Union Gas Limited (D. J. Moore, Vice-President and R. S. Valdis, Assistant Secretary) on 1992 October 27 to allow Union Gas Limited to enter on the easement lands namely Parts 2, 7 and 9 on Plan 62R-12302 as of 1992 November 25 for the installation of a gas pipeline, be approved.
 - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5.
 - (a) That the City of Hamilton enter into a Tenancy Agreement with M. Lamarche to rent the premises known as 112 Province Street North, subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor.
 - (b) That a one time rental charge of \$210. be charged for the period of 1992 December 1 to 1992 December 31 for cleaning and decorating which has been agreed to be carried out by the tenant.
 - (c) That commencing 1993 January 1, the monthly rent will be \$419. (including realty taxes of \$1,268.06 for 1992) and rental proceeds to be credited to Account No. CH44104 31106 (City Properties Rental).
 - (d) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.
6.
 - (a) That the Parks Division of Public Works assume responsibility for all playground equipment, design, and installation.
 - (b) That the Technical Division of Culture and Recreation retain full responsibility for community play equipment fundraising and ongoing maintenance.
 - (c) That a position of Parks Draft Person be created within the Parks Division of Public Works through the attrition of a position of Equipment Repairer/Carpenter from the Technical Division of Culture and Recreation.
 - (d) That the base budget allocation from Culture and Recreation (Account No. CH51001 70020 Equipment Repairman/Carpenter) be transferred to the Public Works Department (Account No. 62302, Parks Division) to facilitate the new Parks Draft Person when the position becomes vacant in Culture and Recreation.
 - (e) That at that time, the F.T.E. Staff Compliment in Culture and Recreation be decreased by one and the F.T.E. Staff Compliment in Public Works be increased by one.
 - (f) That within the budgetary restraints of the one F.T.E. position transfer, the Parks Division provide a range of design services for additional Culture and Recreation Department projects.
 - (g) That the reclassification of this position be forwarded to Finance and Administration.

7. (a) That approval be given to enter into a contract with Blue-Con Inc. of London, Ontario for construction of Shoreline Protection Works at Harbourfront Park. The contract amount will be \$1,384,178.75, and includes all taxes and a \$200,000. contingency amount.
- (b) That the amount of \$1,384,178.75 be funded from Account No. CF5200 419254001 for Harbourfront Park, utilizing the grant monies provided by the Provincial Ministry of the Environment.
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and Blue-Con Inc. of London, Ontario.
- (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
8. That approval be given to staff to apply to the Employment and Immigration Canada Section 25 Job Creation Grant to hire up to six (6) temporary staff for 52 weeks to assist with the Hamilton Children's Museum and volunteer programmes.
9. That the wording for the Hamilton and Barton Incline Railway and the Mountain View Hotel plaque attached hereto as Appendix "A", be approved.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 November 17

Appendix "A" as referred to in
Section 9 of the Twenty-First Report
of the Parks and Recreation
Committee for 1992

THE HAMILTON AND BARTON INCLINE RAILWAY (1892 - 1931)

Known locally as "the mountain", the Niagara Escarpment is Hamilton's most prominent geographic feature. While providing a scenic panorama of the City, it was also a significant impediment to travel. To address this problem a group of businessmen formed the Hamilton and Barton Incline Railway Company.

Construction began in November 1890 with the clearing of a right of way between the head of James Street South and the Caledonia Road near the site of the Mountain View Hotel. The double tracks were 700 ft. in length on a grade of 31% to overcome the 195 ft. rise of the escarpment. Over half of the line was supported on trestles which, at their maximum, held the 36 foot long cars 50 ft. above the ground. Stationary engines drew the cars to the top using steel cables.

Opened June 11, 1892, it was heavily used by residents and tourists alike. The 75 second ride provided a convenient line between the City and Barton Township for both pedestrian and horse-drawn traffic.

Improved mountain access roads and the rise in popularity of motorized traffic caused a steadily declining number of customers. The line ceased operation December 26, 1931.

The abandoned rails and equipment were removed during World War II and the right of way came under the jurisdiction of the Hamilton Parks Board.

THE MOUNTAIN VIEW HOTEL

As early as 1842 an inn, situated on this site, met the needs of those travelling the Caledonia Road (Upper James Street). Farmers from the townships to the south rested their horses here on the way to and from the Hamilton Market.

By 1850 a four storey stone building named the Mountain View Hotel had been erected. Its proximity to the escarpment's edge provided patrons with an unobstructed view of the city below and Lake Ontario beyond. The hotel served as a lookout point for the Thirteenth Battalion during the Fenian threat in 1866. The building was destroyed by fire in December 1878.

A new Mountain View Hotel was opened by 1881. This was a substantial five storey stone structure, crowned by an elaborate observation tower on its eastern end. In 1890 a pavilion suitable for roller-skating and dancing was added which attracted various family and organized events. Access was improved with the opening of the incline railway immediately to the north. When the establishment's liquor licence was revoked in 1916, the property was sold. Subsequently it served as the home of the Wentworth Hunt Club. The building was razed in 1937 and the grounds were donated to the City of Hamilton for use as a park in 1943.

1992 November 13

1992 November 24

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1992 and respectfully recommends:

1. That the City of Hamilton accept the sum of \$11,356 as cash payment in lieu of the 5% land dedication in connection with Wisemount Estates - Phase 1, Hamilton, located in the Lisgar Neighbourhood on the west side of Upper Kenilworth Avenue, between Landron Avenue and Limeridge Road East, being the cash payment required under Section 51 of the Planning Act.
2. That the City of Hamilton accept the sum of \$9,180 as a cash payment in lieu of the 5% land dedication in connection with Edan Heights - Phase 3, Hamilton, located in the Butler Neighbourhood on Acadia Drive, south of Stone Church Road East and west of Upper Sherman Avenue, being the cash payment required under Section 51 of the Planning Act.
3. (a) That Item 2(a), (b) and (c) of the Eighteenth Report of the Planning and Development Committee approved by City Council on 1992 October 27 be amended to read:
 - (i) That the International Village Business Improvement Area boundaries be expanded to include the following:
 1. both sides of King William Street from Mary to Wellington Streets
 2. the east side of Mary Street from King to King William Streets
 3. both sides of Ferguson Avenue from King to King William Streets
 4. the west side of Wellington Street from King William to Main Street
 5. Spring Street between King and Main Streets; and

1992 November 24

- (ii) That the City Clerk's Department be authorized and directed to regularize the existing BIA membership and the proposed expansion area with the notice of intent to expand the boundaries of the BIA and pass a new by-law in accordance with Section 220 of the Municipal Act; and,
 - (iii) That the Law Department be authorized and directed to prepare the necessary by-law.
- 4. That a repayable loan under the Community Heritage Trust Fund in the amount of fifty thousand dollars (\$50,000) be approved for John J. Ross, in Trust, for the Hamilton Hebrew Academy, 235 Bowman Street, Hamilton. The interest rate will be six per cent, amortized over 10 years with a monthly payment of \$555.10.
- 5. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 17 Crosthwaite Avenue North
 - (b) 547 Wilson Street
- 6. That the Mayor and City Clerk be authorized to sign the standard Grant Agreement required by the Minister of Culture and Communications for the transfer of funds to the City for the Durand Markland Heritage Conservation District Study and Plan.
- 7.
 - (a) That pursuant to the citizen input received at a Public Meeting held 1992 November 04, the North End East and West Community Improvement Plan attached as Appendix "A" (distributed to Council members under separate cover) be approved and submitted to the Ministry of Municipal Affairs for their approval; and,
 - (b) That the Law Department be authorized to prepare the necessary by-law to adopt the North End East and West Community Improvement Plan in accordance with (a) above; and,
 - (c) That the Public Works Department be authorized to implement the improvements to Bay Street, Guise Street and pedestrian connections to the Waterfront Parks in accordance with the Community Improvement Plan at a total estimated cost of \$400,000., 50% Provincial and 50% Municipal including all accrued interest; and,

1992 November 24

- (d) That the Finance and Administration Committee be requested to provide the matching funds of \$200,000. from the Pier 4 Park development funding Account No. CH 5200 419154007.
- 8.
 - (a) That the Implementation Plan for the Central/Beasley Community Improvement Project Area under the PRIDE H.INT. Programme, attached as Appendix "B", be approved; and,
 - (b) That the Community Renewal Section of the Public Works Department be authorized to implement the projects within the Plan at an upset estimated cost of \$1,095,805.90. as per the attached Appendix "C".
- 9.
 - (a) That the City Clerk request the appropriate ministries of the Province of Ontario, including the Minister of Municipal Affairs, the Minister of Transportation, and others as deemed appropriate by staff, to consider the provision of funding for the Hamilton GO Transportation Centre Area Study, as outlined in the Terms of Reference, attached as Appendix "D" (as distributed to Council members under separate cover), in the amount of sixty thousand dollars (\$60,000.00), including the Goods and Services Tax;
 - (b) That local Members of the Provincial Parliament be advised of the municipality's requests for funding for the Hamilton GO Transportation Centre Area Study; and,
 - (c) That, if the provincial funding for the study is obtained, staff be authorized to proceed with the proposal call.
- 10.
 - (a) That Council reaffirm its decision "to require access for persons with physical disabilities or barrier free design for all developments in the City, including both civic and private initiatives" as a City Policy;
 - (b) That the Planning and Development Committee request the Planning and Development Department to amend the existing Official Plan policy (Section C.2 - Safety and Convenience) dealing with access and barrier free design to incorporate minor wording changes as follows:
 - "2.3 Council recognizes the concept of barrier free design as an important component of new development and/or redevelopment which may be realized through measures such as, but not limited to:
 - (i) the ramping of sidewalks;

- (ii) the requirement of appropriate access by ramps, elevator or other means to all publicly accessible buildings and open spaces;
- (iii) the reservation of conveniently located and appropriately designed parking spaces for all public and private buildings for use by the physically disabled;
- (iv) co-operation with the appropriate public agencies to investigate and implement appropriate public transportation opportunities for the physically disabled.
- (v) co-operation with the appropriate government, public, or private agencies, organizations, or committees dealing with issues related to disabilities."

and to include these modifications in the housekeeping amendment.

11. That Zoning Application 92-31, Robert J. Charko, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District, to permit the development of the subject lands for a 3 1/2 storey, 16 unit multiple dwelling, for the property located at 174 Ferguson Avenue South, shown on the attached map marked as Appendix "E", be denied for the following reasons:

- (a) it is contrary to the intent of the Official Plan, in that the proposal is incompatible with existing and proposed development in the immediate area in terms of height, bulk, and arrangement, which would ultimately contribute to an undesirable housing mix;
- (b) it conflicts with the intent of the approved Corktown Neighbourhood Plan which designates the property "Single and Double Residential". In this regard the proposal represents high density development (i.e., 16 units or approx. 87 units per acre); and,
- (c) it represents an over intensification of land use in that the proposal would require variances with respect to required parking in the front yard, elimination of the required loading space, etc.

12. That approval be given to Zoning Application 92-37, 394553 Ontario Limited, (J. & D. Pasquale), owners, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a take-out restaurant/delicatessen within the existing building (unit 664), for property located at 664-682 Concession Street, as shown on the attached map marked as Appendix "F", on the following basis:
- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14(1), one take-out restaurant/delicatessen having a maximum floor area of 60.0 m² shall be permitted within the existing building;
 - (ii) That Sections 18A(36)1.(b)&(c) and 18A(36)2. shall not apply to the take-out restaurant/delicatessen;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1296 and that the subject lands on Zoning District Map E-24 be notated S-1296;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
13. That leave be granted to introduce the following Bills:
- (a) Bill C-121 A By-law to amend Zoning By-law No. 6593 respecting lands located between Mohawk and Limeridge Roads East, east of Upper Kenilworth Avenue (Mohawk Sports Park)
 - (b) Bill C-122 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 76-161 respecting lands located on the west side of Bow Valley Drive and south of Highridge Avenue
 - (c) Bill C-123 A By-law to authorize the entering into of a Heritage Easement Agreement respecting the Hamilton Hebrew Acadmey

1992 November 24

- (d) Bill C-124 A By-law to amend Zoning By-law No. 6593 respecting lands located south-west of Upper Paradise Road and Rymal Road West
- (e) Bill C-125 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 255 Rymal Road East

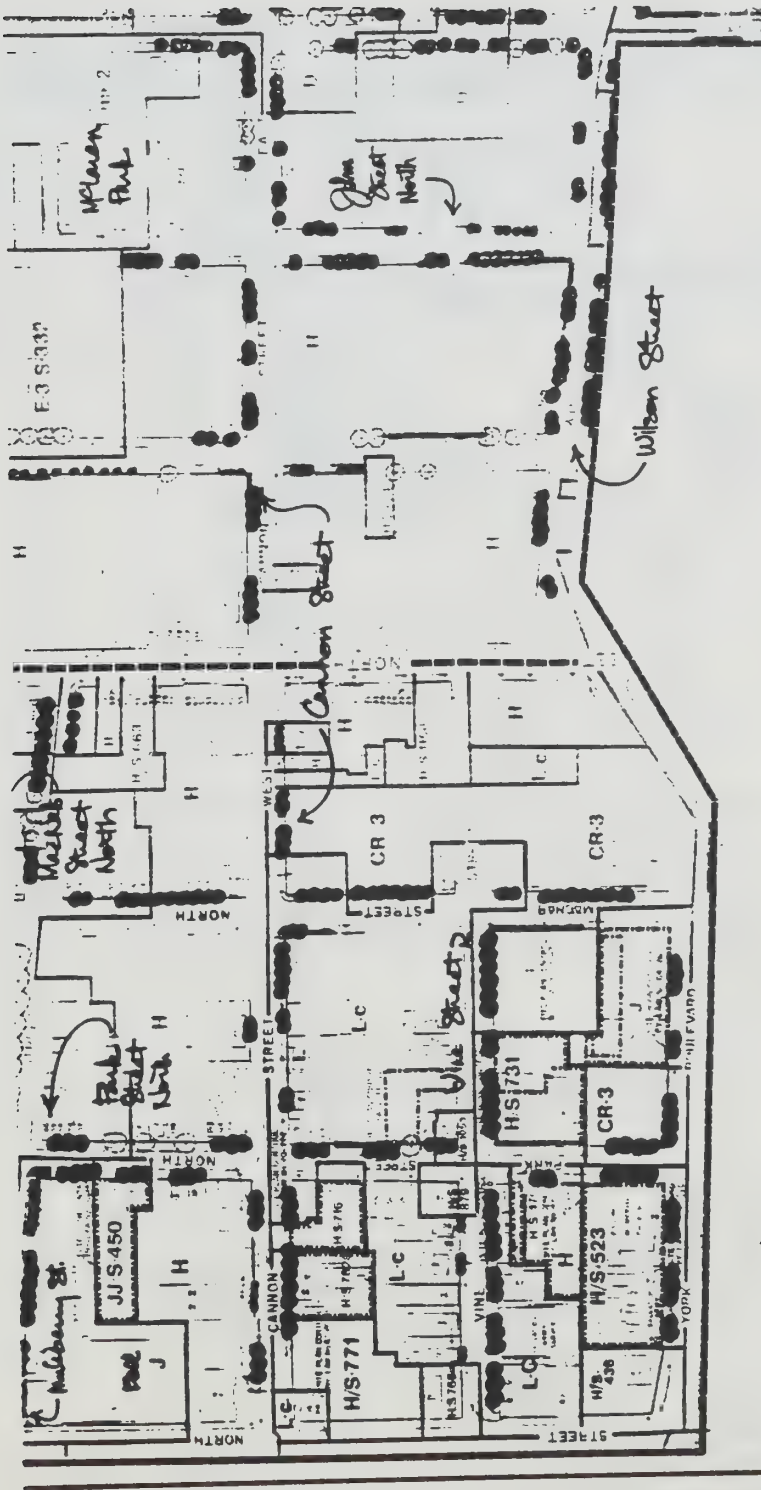
Respectfully submitted,

ALDERMAN D. DRURY,
CHAIRPERSON
P L A N N I N G A N D
DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 November 18

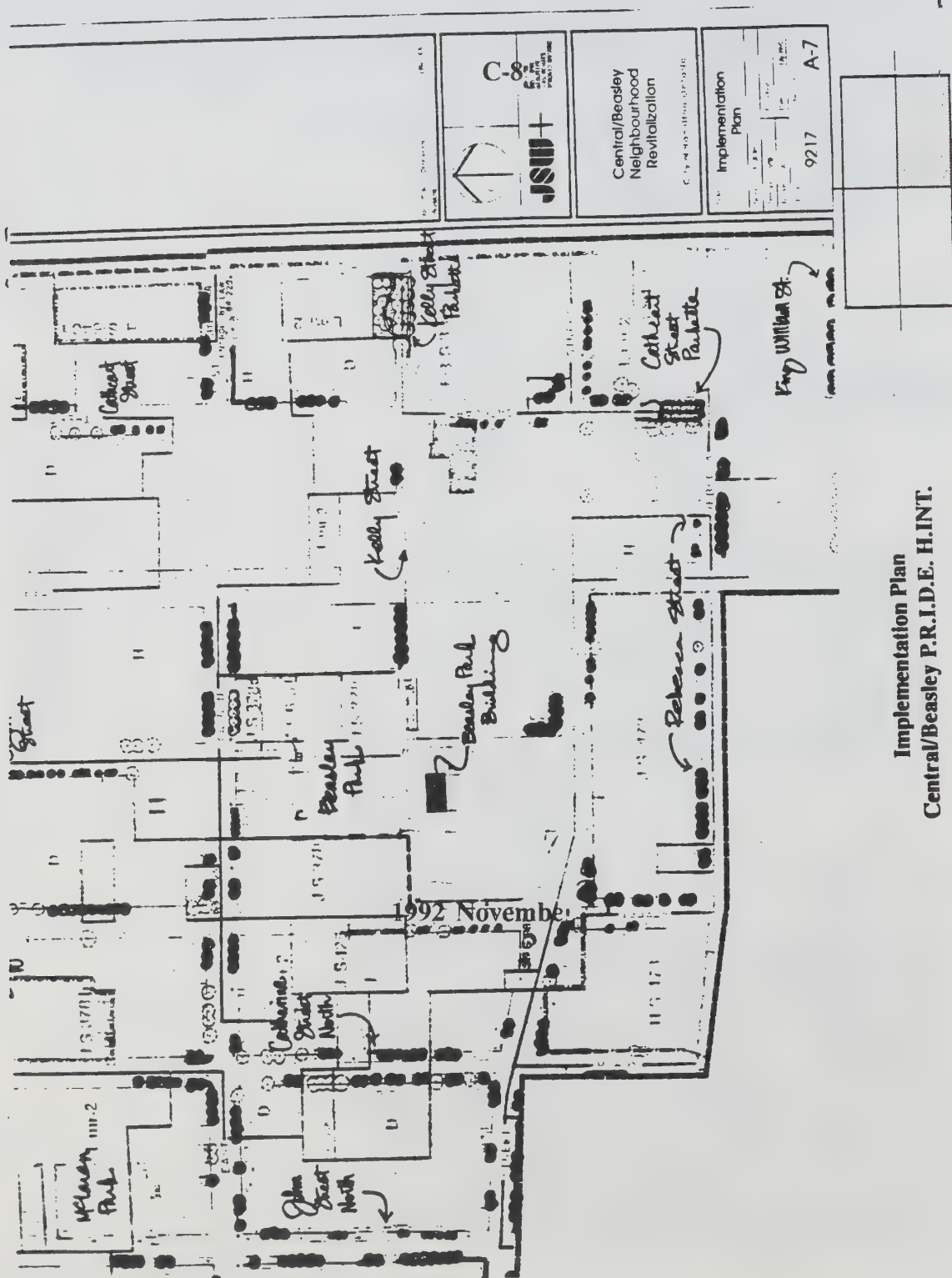
1992 November 24

Appendix "B" referred
to in Section 8(a) of the
Twentieth Report of the
Planning and Development
Committee of 1992



Implementation Plan
Central/Beasley P.R.I.D.E. H.INT.

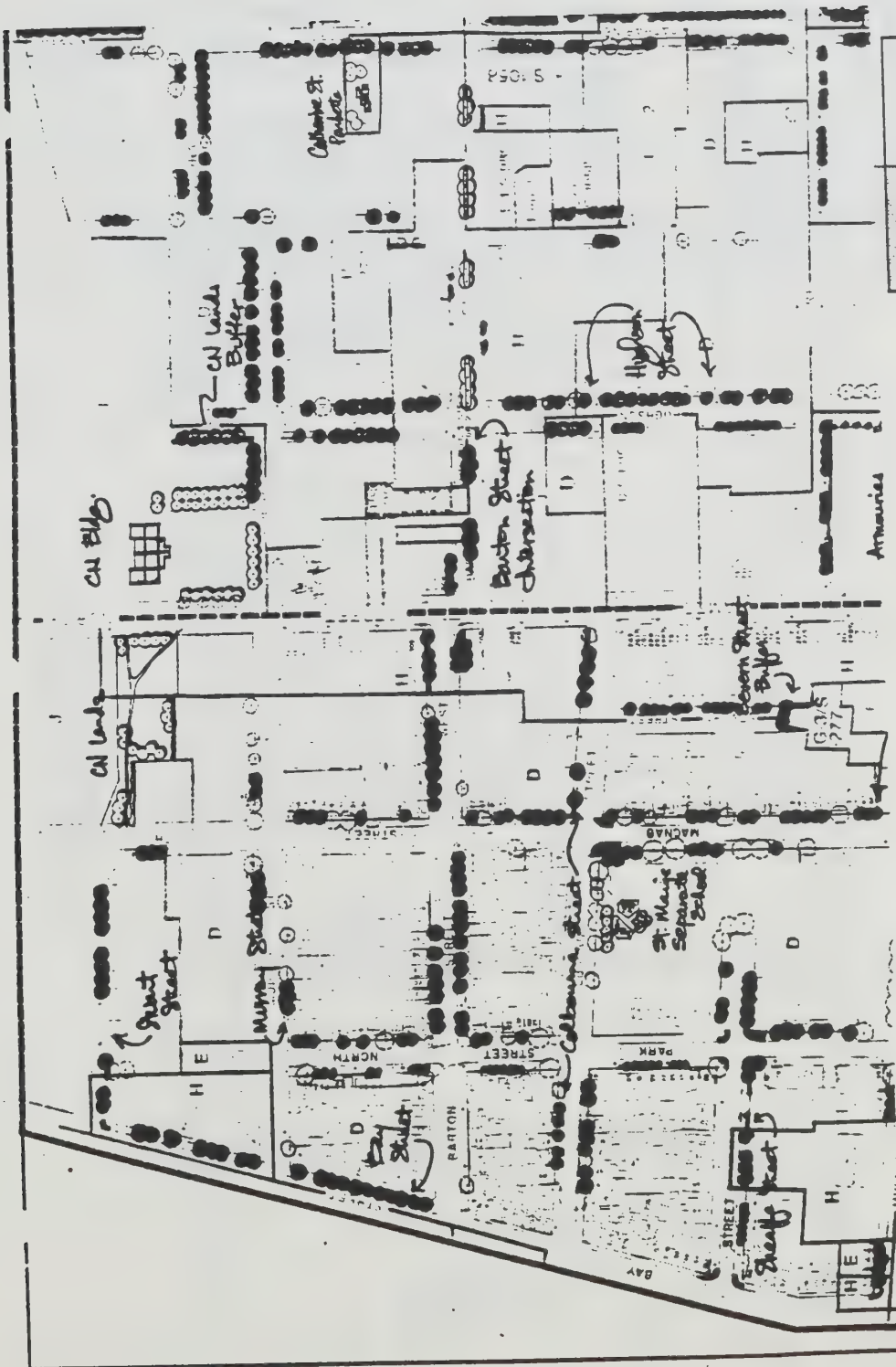
1992 November 24



**Implementation Plan
Central/Beasley P.R.I.D.E. H.INT.**

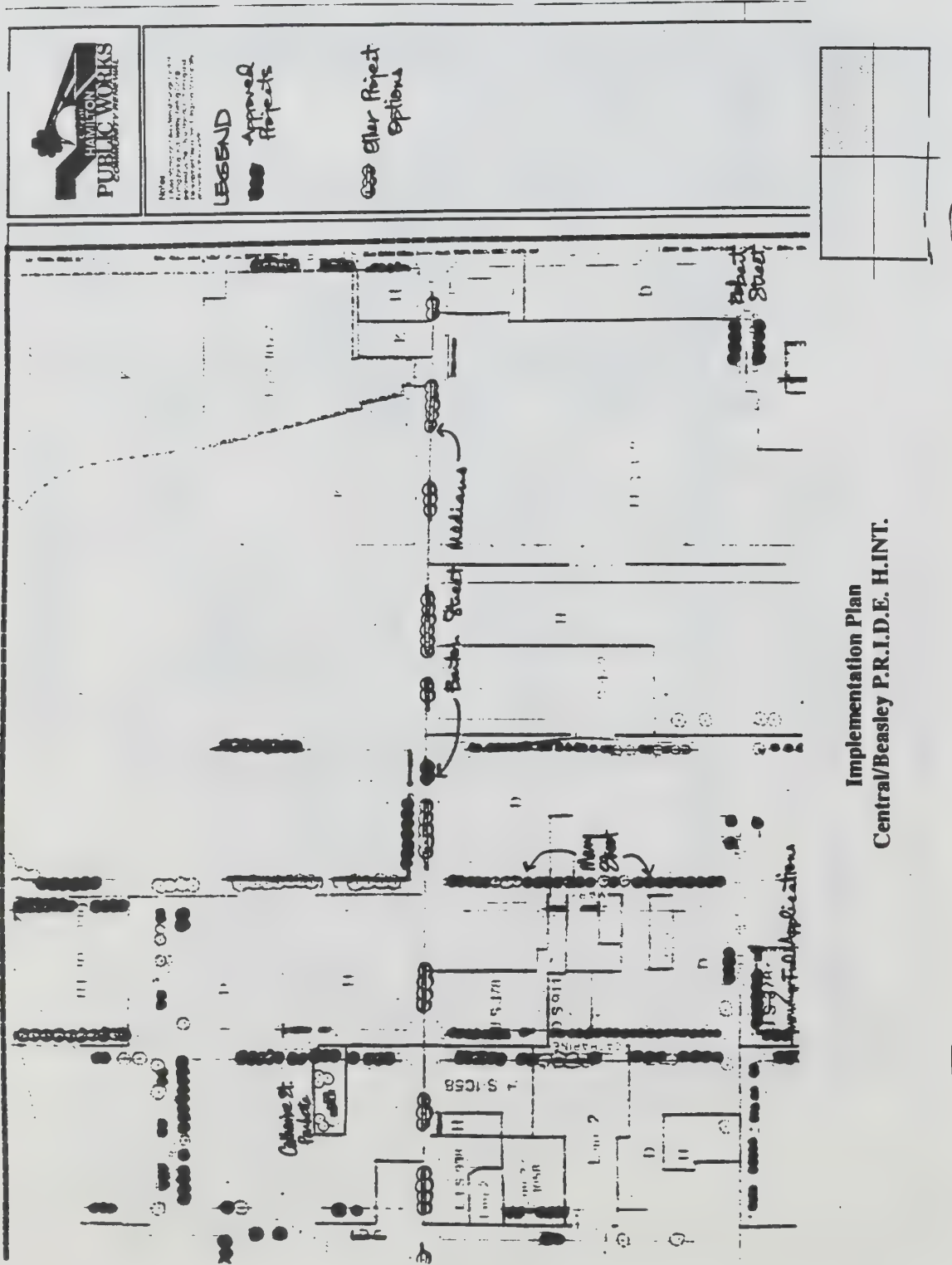
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1992 November 24



Implementation Plan
Central/Beasley P.R.I.D.E. H.INT.

1992 November 24



1992 November 24

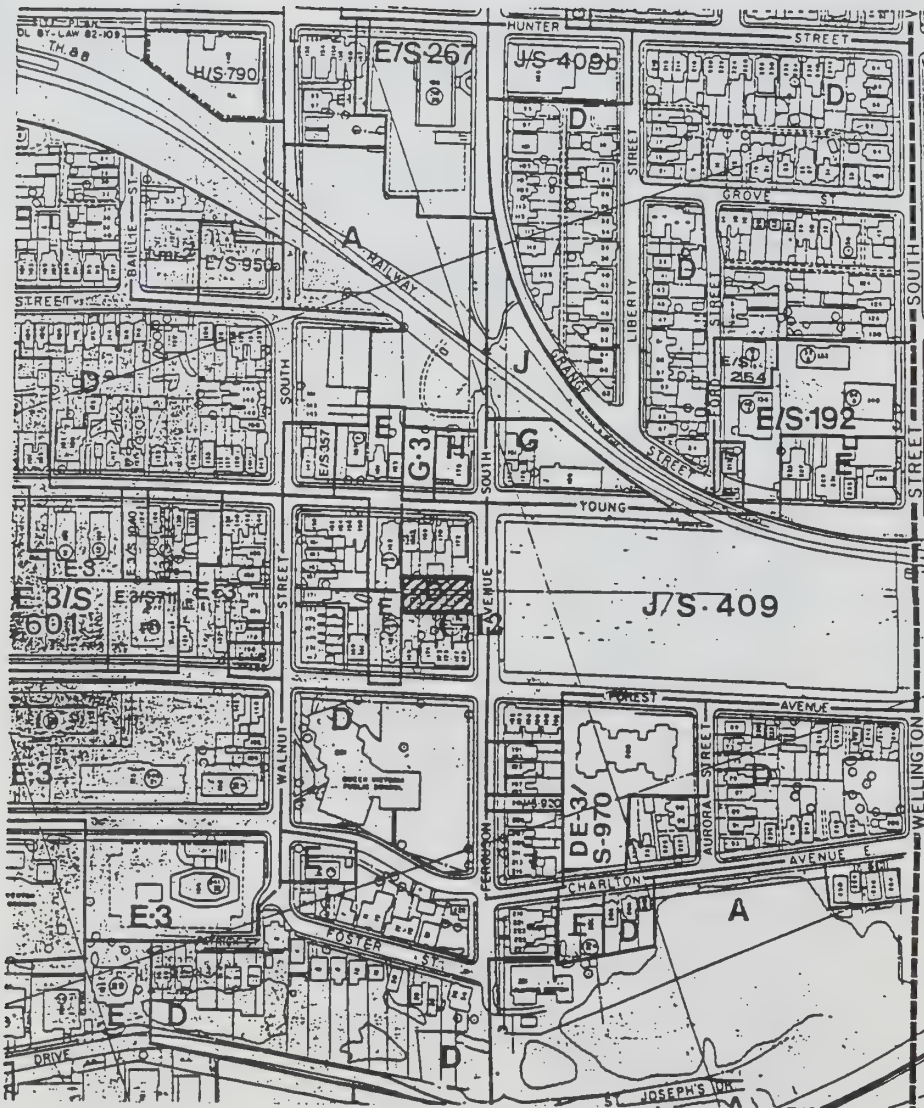
Appendix "C" referred
to in Section 8(b) of the
Twentieth Report of the
Planning and Development
Committee of 1992

APPROVED CAC PROJECTS

Barton Street Intersection	\$ 53,417.50
MacNab Street North (North of Cannon)	\$ 32,085.00
Mulberry Street	\$ 20,941.50
Severn Street Buffer	\$ 12,650.00
Sheaffe Street	\$ 35,673.00
Stuart Street Linkage	\$ 9,044.75
CN Lands Buffer in R.O.W.	\$ 21,505.00
Park Street North (North of Cannon)	\$ 41,285.00
Cannon Street	\$ 84,985.00
Robert Street	\$ 12,017.50
Cathcart Street Parkette	\$ 46,402.50
Wilson Street	\$115,805.00
Hughson Street North	\$ 36,972.50
John Street North	\$ 42,205.00
Catharine Street North	\$ 70,868.75
Mary Street North	\$ 51,175.00
Elgin Street North	\$ 35,132.50
Cathcart Street North	\$ 22,827.50
Wellington Street North	\$ 21,073.75
Park Street North (South of Cannon)	\$ 18,400.00
MacNab Street North (South of Cannon)	\$ 23,862.50
Buffer - All Soul's Church parking lot	\$ 9,027.50
Murray Street	\$ 24,955.00
Bay Street	\$ 7,647.50
Colbourne Street	\$ 13,340.00
Severn Street	\$ 5,235.50
Mulberry Street (Bet. MacNab & James)	\$ 5,635.00
Kelly Street	\$ 10,120.00
Rebecca (Bet. Ferguson & Catharine)	\$ 6,037.50
King William Street	\$ 3,622.50
Vine Street	\$ 21,447.50
Robert Street (Bet. John & Wellington)	\$ 12,477.50
St. Mary's Separate School	\$ 25,000.00
	<u>\$952,874.75</u>
15% Contingency	\$142,931.21
<u>TOTAL</u>	<u>\$1,095,805.90</u>

1992 November 24

Appendix "E" referred
to in Section 11 of the
Twentieth Report of the
Planning and Development
Committee of 1992



Legend

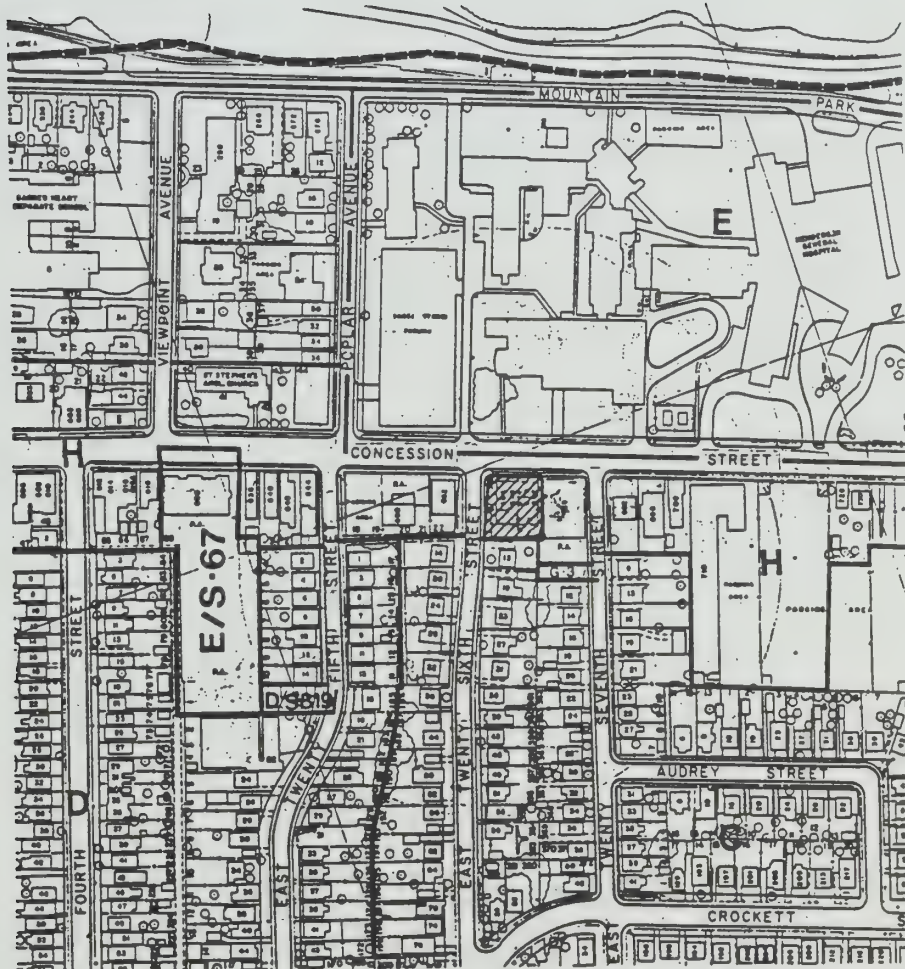


Site of the Application

ZA-92-31

1992 November 24

Appendix "F" referred
to in Section 12 of the
Twentieth Report of the
Planning and Development
Committee of 1992



Legend



Site of the Application



ZA-92-37

1992 November 24

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-THIRD** Report for 1992 and respectfully recommends:

1. That the City of Hamilton endorse the resolution of the Irish Canadian Club of Hamilton as follows:

WHEREAS the Parks Service of Environment Canada proposes to develop Grosse Ile as a National Historic Park;

AND WHEREAS the Development Concept published by the Parks Service ignores the tragic truth of the deaths in 1847 of 15,000 Irish men, women and children whose mortal remains are buried in mass graves on Grosse Ile;

AND WHEREAS Action Grosse Ile and the Irish Canadian Club of Hamilton commend the principle of developing Grosse Ile as a National Historic Park, but have serious reservations about the historical inaccuracies in the approach taken by the Parks Service;

AND WHEREAS the Island of Grosse Ile is commonly known in the Region of the St. Lawrence Valley as "l'île irlandaise", the Irish Island;

AND WHEREAS more than half of all the immigrants who passed through Grosse Ile between 1832 and 1860 were of Irish origin;

AND WHEREAS several notable Hamiltonians including His Honour Mayor Bob Morrow; Liberal Deputy Leader Sheila Copps, M.P.; His Grace Anthony Tonnos, Bishop of Hamilton and Bryan Adamczyk, President of Hamilton & District Labour Council have urged the government to respond positively to the concerns of the Irish community;

1992 November 24

BE IT THEREFORE RESOLVED THAT the City of Hamilton encourages the Prime Minister, the Minister of the Environment and the Government of Canada to ensure that the Irish graves of Grosse Ile are properly acknowledged and perpetuated as the main theme of the National Historic Park and as a permanent monument to the Irish role in the building of Canada.

2. That as referred to in Section 7 of the Twentieth Report for 1992 of the Planning and Development Committee, a capital project for the improvement to Bay Street, Guise Street and pedestrian connections to the Waterfront Parks in accordance with the Community Improvement Plan at a total cost of \$400,000. be approved and financed 50%, i.e. \$200,000. by the Province of Ontario subsidy and the City's cost of 50%, i.e. \$200,000. be financed by Account No. CF 4136-419154007 (Pier 4 Park Development-Harbourfront-Reserve financing). Accordingly, the gross cost of the Pier 4 Park Development-Harbourfront Account Centre No. CF 419154007 be reduced from \$2,100,000. to \$1,900,000. to stay within the authorized financing.
3. That a purchase order be issued to City Chev Geo Olds, Hamilton, in the amount of \$83,917.80 including all applicable taxes, for the replacement of three (3) Crew Cabs with steel dump bodies, units 9233, 9057, 9215, Fleet Services, being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
4. That a purchase order be issued to Shell Canada, Toronto, for the supply and delivery of #1 Diesel Premium Fuel at \$0.3876 per litre, plus applicable taxes, as and when required to 1994 June 30, being the lowest of nine (9) tenders received, in accordance with specifications issued by the Manager of Purchasing and Stores, Hamilton Street Railway and Vendor's tender, and that these expenditures be financed through various approved accounts.
5.
 - (a) That the revised Hamilton Farmers' Market Stand Contract for 1993, attached herewith and marked Appendix "A", be approved. The revised contract reflects the change to the City's Primary Liability policy from \$2,000,000. to \$3,000,000; and,
 - (b) That the City Solicitor be directed to prepare the necessary By-law to adopt this contract.

6. That approval be given to the action taken by the Hamilton Farmers' Market Sub-Committee in scheduling Market Days throughout the 1992/93 Christmas holidays as follows:

Christmas Week

New Year's Week

Monday, 1992 December 2

Tuesday, 1992 December 22

Wednesday, 1992 December 23

Thursday, 1992 December 24

Tuesday, 1992 December 29

Thursday, 1992 December 31

Saturday, 1993 January 02

7. (a) That permission be granted to hold the City Hall Christmas Carol Program on the second floor foyer of City Hall on Friday, 1992 December 18 from 9:00 o'clock a.m. to 10:30 o'clock a.m.; and
- (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
8. That the contract settlement of the Association of Millwrighting Contractors of Ontario Inc., and the Millwright District Council of Ontario, United Brotherhood of Carpenters and Joiners of America, Local Unions 1007, 1151, 1244, 1410, 1425, 1592, 1916 and 2309 be received pursuant to the Fair Wage Policy of the City of Hamilton.
9. That the contract settlement of the Ontario Painting Contractors Association and the Ontario Council of the International Brotherhood of Painters and Allied Trades be received pursuant to the Fair Wage Policy of the City of Hamilton.
10. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 November 10, attached herewith and marked Appendix "B", be approved.
11. (a) That funding in the amount of \$218.28 be approved to cover the cost of one school bus used for a Voyageur '92 Program Group from Newfoundland to transport them to Toronto and Niagara Falls for a one day excursion on 1992 November 2; and,
- (b) That funding for this expenditure be charged to the Miscellaneous Charges within the Unclassified Centre Account No. CH 55199-24201.

1992 November 24

12.
 - (a) That the updated 1993 General Grant Application be made available for distribution by 1992 November 30, and that the deadline for submission to the Grants Co-ordinator be 1992 December 31 (which will be advertised in the local media). Copies of the updated Application were distributed to the Finance and Administration Committee and are available from the Committee Secretary upon request.
 - (b) That all references within the Grant Application and policies addressing the Grants Review Group be changed to Grants Process Group; and,
 - (c) That the mandate of the Grants Process Group be to review all applications to ensure compliance with policy and required information, to assemble all relevant information to provide information reports to assist in the decision making process, and address all issues of an administrative nature; and,
 - (d) That both the Arts Advisory Sub-Committee and the Sports Council provide comments (not priority or funding) to the Grants Process Group with respect to the benefits to the community of the related Arts and Sports grant applications submitted and that these comments provide additional background information for the Grants Process Group; and,
 - (e) That the 1993 Grants budget be established during the 1993 Current Budget deliberations, and that the specific grant recommendations be finalized within a month of the adoption of the 1993 Current Estimates; and,
 - (f) That the process for the 1993 General Grants be finalized by 1993 January 26, subject to clarification of some outstanding issues which will be discussed at subsequent Finance and Administration Committee meetings.
13.
 - (a) That the City of Hamilton accept title to the property known municipally as 36 Cliff Avenue for \$1. to be incorporated into the Concession Street Library and the cost for this transfer be charged to Account No. CF-5698-919241005 (Miscellaneous Expenses Concession Library Expansion); and,
 - (b) That the City Solicitor be authorized to prepare and register the necessary Deed; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

1992 November 24

14. (a) That the Hamilton Farmers' Market fees for 1993 be increased by two (2%) percent, as per the Schedule attached herewith and marked Appendix "C"; and,

(b) That the City Solicitor be directed to prepare an amendment to By-law 81-180, to reflect this increase, effective 1993 January 01.
15. That a new scrubber/sweeper be purchased for the Farmers' Market at an estimated cost of \$12,000. plus applicable taxes to be financed from the anticipated surplus in the 1992 City Clerk's Department Budget.
16. That a two colour head for the existing offset printing press in the Print and Mail Section of the City Clerk's Department be purchased at an estimated one time cost of \$8,000. plus applicable taxes to be financed from the anticipated surplus in the 1992 City Clerk's Department Current Budget.
17. (a) In that infill development for commercial and industrial properties through conversion or construction on an existing previously developed lot, imposes a demand for services less than that required for new development, full credit shall be given under the City of Hamilton Development Charges By-law #90-74 for buildings existing on the site within the 10 year period before enactment of the By-law on 1990 March 27; and,

(b) That the above policy be forwarded to the Hamilton-Wentworth Region for consideration in order to harmonize the application of the City and Regional Development Charges By-laws.
18. (a) That Purchasing Corporate Policy Number 9 be rescinded and the following substituted in lieu thereof:

Where goods or equipment are surplus to the needs of any City Department the Manager of Purchasing shall be so notified.

The Manager of Purchasing shall offer any useable goods or equipment declared surplus first to other City Departments, second to the Region and other Area Municipalities, and thirdly to other public agencies within the Co-operative Purchasing Group for the appraised amount.

If, after this process, there are still goods or equipment to be disposed of, then, upon the approval of the Chief Administrative Office, the Manager of Purchasing may cause them to be sold through sealed bids or public auction.

No employee, elected City official, member of the immediate family of any employee or elected City official, or agent on behalf of any employee or elected City official, shall bid on the sale of any goods or equipment whether by sealed bids, public auction or otherwise.

Only those municipalities and public agencies within the Co-operative Purchasing Group which have adopted policies similar in content and intent to this Policy shall be permitted to participate in the disposal of their assets through any public auction sale or sealed bid process to be conducted by the City of Hamilton.

For the purpose of this policy:

"employee" shall mean any employee, appointed official, or director, of the Corporation of the City of Hamilton, its Local Boards, or the Hamilton Entertainment and Convention Facilities Inc., and;

"immediate family" shall mean any parent, step-parent, spouse, common law spouse, same sex spouse, child, step-child, brother, sister, step-brother, or step-sister.

- (b) That all municipalities, and public agencies within the Co-operative Purchasing Group which have participated in the City of Hamilton's disposal of surplus goods or equipment by sealed bid or public auction be advised of this new policy.
- 19. That the amount of \$125. for the purchase of a table (10 people) for attendance at the "Tiger-Cat Wall of Fame Dance" to be held 1992 November 20, as recommended by the Parks and Recreation Committee at its meeting held 1992 November 17, be charged to the Unclassified Account, Centre 24201.
- 20. For the information of the members of City Council, the Finance and Administration Committee has given its approval to pursuing the creation of a new slogan for the City of Hamilton and has established a Sub-Committee to investigate and report back to it on a methodology for doing so.

21. For the information of the members of City Council, the Finance and Administration Committee has approved the formation of an Anti-Prostitution Task Force for the City of Hamilton with the following Terms of Reference and Mandate:
- (a) That membership on the Task Force, excluding 2 members of City Council, will not exceed twenty (20) in number; and,
 - (b) That members of the Task Force will include a core membership of one individual from the following organizations:
 - (i) Department of Health
 - (ii) Department of Social Services
 - (iii) Department of Regional Police
 - (iv) Hamilton-Wentworth School Boards
 - (v) Neighbourhood Associations
 - (vi) Mayors Race Relations Committee
 - (vii) Legal Department
 - (viii) Member of the Hamilton Business Community
 - (ix) Department of Culture and Recreation
 - (c) That the balance of the Task Force membership will be comprised of other interested citizens in the community, subject to selection by the Chairperson and the core Task Force members; and,
 - (d) That Alderman Bernie Morelli, be appointed as the initial Chairperson of the Committee, and that the Task Force determine their own structure and methods of proceeding; and,
 - (e) That the Chief Administrative Officer, in conjunction with the necessary City Officials, ensure that the required secretarial support staff is provided to the Task Force; and,
 - (f) That the Mandate of the Task Force will be:
 - (i) To review, study and assess all aspects of prostitution in the City of Hamilton, with particular emphasis on its impact in neighbourhoods and the City in general; and,
 - (ii) To identify specific problems and develop effective responses to them; and,

1992 November 24

- (iii) To liaise with all jurisdictions which interface with prostitution activity and to develop and implement programs and recommendations to more effectively counter prostitution activities; and,
 - (iv) To develop effective programs, in conjunction with all interfacing agencies, in order to educate and train residential neighbourhoods to more effectively respond to localized prostitution activity; and,
 - (v) To communicate the progress of its work and to make recommendations to Hamilton City Council through the Finance and Administration Committee, on a regular basis.
22. That Alderman W. McCulloch be authorized to represent the City of Hamilton at an F.C.M. meeting in Ottawa the last part of 1992 November, respecting Chinese exchanges.
23. That Ms. Patrice Noé Johnson's contract as City Solicitor be renewed for a five-year period commencing 1993 March 13, under the terms and conditions as set out in the employment contract.
24. That leave be granted to introduce the following Bill:
- Bill H-70 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1992 November 19

Appendix "A" referred
to in Section 5 of the
Twenty-Third Report of the
Finance and Administration
Committee for 1992.

HAMILTON FARMERS' MARKET CONTRACT

Commencing:

Ending:

I, (We) the undersigned

(Print Name(s))

hereby undertake and agree without reservation of any kind with The Corporation of the City of Hamilton for the privilege of occupying and using a stand at the Hamilton Farmers' Market, as follows:

1. To pay a fee for the use of the stands for a twelve-month term from January 1st to December 31st unless terminated prior to December 31st as set out below, for

(a) Stand No. Fee:

(b) Stand No. Fee:

(c) Stand No. Fee:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

3. If I (we) have not occupied my (our) stand(s) by 9:00 o'clock a.m. on any market day, my (our) right to occupy and use my (our) stand(s) is forfeited for that day only.

4. This contract entitles me (us) only to the use of the stand(s) referred to in this contract.

5. To give the Market Manager thirty (30) days written notice in the event that I (we) propose to terminate my (our) use of my (our) assigned stand or stands.

6. (1) The refrigeration units whose location and size are described in Appendix 1 to this contract form part of the assigned stand(s).

(2) I (We) will pay and be responsible for all repairs and maintenance costs of the refrigeration units and that Fox Refrigeration Inc. will make all such repairs and provide all such maintenance as are necessary in the opinion of the Market Manager to keep and maintain the refrigeration units in good working order.

7. That The Corporation of the City of Hamilton shall have the right at any time and from time to time to assign to me (us) a stand(s) in place of the stand(s) referred to above and to increase or decrease the term fee(s) in accordance with the fee(s) for the substitute stand(s) and upon assignment to vacate the stand(s) occupied by me (us) at such time as may be specified to me (us) by the Market Manager.

8. That any stand(s) assigned to me (us) is (are) owned and in possession of the City of Hamilton at all times and I (we) have been given the privilege only of occupying or using the stand(s).

9. I (We) will observe and comply with all public health laws and food laws of Ontario and Canada and with all by-laws, regulations, notices, orders and demands of the City.

10. That I (we) will remove and restore all changes to the stand(s) to its (their) original condition at the time the stand(s) was (were) assigned to me (us) at my (our) sole cost and expense and at no cost or expense to the City.

11. I (We) shall and do hereby indemnify and save harmless The Corporation of the City of Hamilton from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer or be put to by reason of any damage to property or injury or death to persons as a result of the privilege herein allowed to me (us).

12. That notwithstanding any other provision, this contract will not come into effect and no stand(s) shall be assigned to me (us) unless and until I (we) file proof of a public liability insurance policy in an amount not less than Three Million Dollars (\$3,000,000.00) satisfactory with the Market Manager.

DATED at Hamilton, Ontario this day of 19

**
.....
Market Manager

Signature in Full of Stallholder(s)

**
.....

**
.....

.....
Address of Stallholder (Street) (Please Print)

.....
(City, Province, Postal Code)

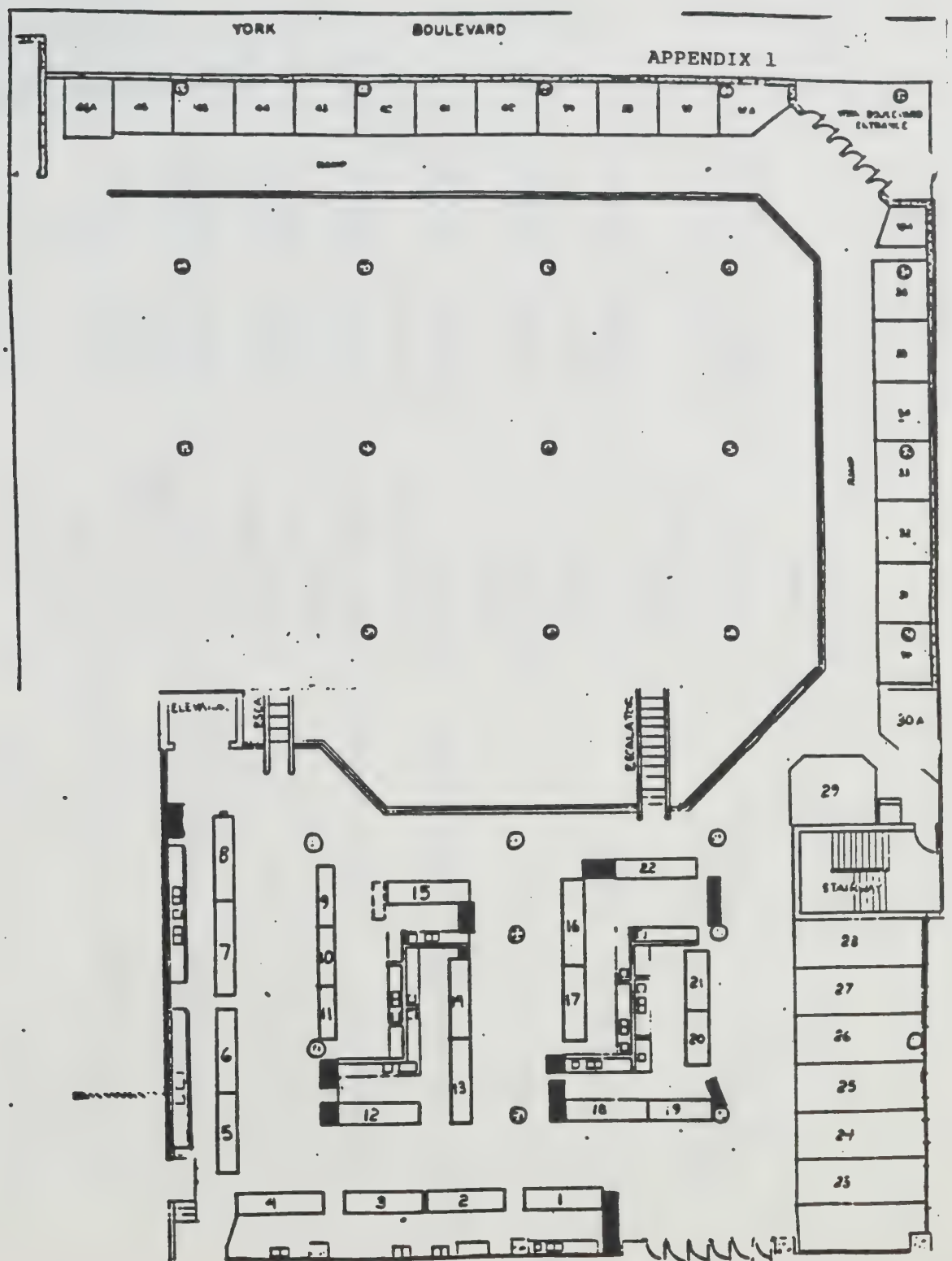
.....
Telephone Number

.....
Address of Stallholder (Street) (Please Print)

.....
(City, Province, Postal Code)

.....
Telephone Number

** Each person whose name appears at the beginning of this contract, must sign and provide their address and telephone number.



■ - ADDITIONAL INSTALLATIONS
 - - - - - PROPOSED INSTALLATIONS

**MARKET MEZZANINE
AND RAMP**

Appendix "B" referred
to in Section 10 of the
Twenty-Third Report of the
Finance and Administration
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Armand Arseneault	Motor Mechanic I (T2A)	Public Works	Replacing Mr. A. Estravillo - promoted	\$41,419.04	05/10/92
Ms. Deborah Gagnon	Title Searcher and Legal Clerk (15-D)	Law	Replacing Mr. A. Biro - reclassified	\$30,965.48 to \$35,622.86	05/10/92
Mr. John Gaylard	Storeskeeper (N-4A)	Fire	Replacing Mr. D. Farkas - promoted	\$47,401.00	02/10/92
Mr. Klaus Kaesler	Senior Systems Analyst (1)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	05/10/92
Mr. Peter Pavaska	Facility Supervisor (11-C)	Culture & Recreation	Replacing Mr. R. Jackman - promoted	\$39,278.72 to \$47,010.08	21/10/92
Ms. Lorna Rowell	Probationary Fire Inspector (N-1A)	Fire	Replacing Mr. L. Choppick - retired	\$36,867.15	26/10/92
Mr. Peter Ryder	Senior Systems Analyst (1)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	05/10/92
Mr. Brian Vukmanich	Rink Attendant I (D-16B)	Culture & Recreation	Replacing Mr. D. Biggs - terminated	\$34,326.24	26/10/92

Prepared 10/11/92

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Henry Akeman	Garbage Worker	Public Works	Terminated	7 years, 6 months	02/10/92
Mr. Dave Biggs	Rink Attendant 1	Culture & Recreation	Terminated	8 years, 2 months	05/10/92
Mr. Ken Campbell	Assistant Chief Steward	H.E.C.F.I.	Terminated	5 years	13/10/92
Mr. Larry Cowles	Facility Supervisor	Culture & Recreation	Terminated	20 years, 1 month	24/09/92
Mr. Gord Kerr	Manager, Fleet Services	Public Works	Terminated	3 years, 7 months	13/10/92
Ms. Carole Morin	Hospitality Sales Executive	H.E.C.F.I.	Resigned	5 months	29/09/92
Mr. Harry Reinhold	Superintendent, Streets & Sanitation	Public Works	Retired	33 years, 5 months	30/10/92
Ms. Arlene Wright	Accounting Clerk	H.E.C.F.I.	Resigned	10 years, 4 months	05/10/92

Prepared 10/11/92

Appendix "C" referred
to in Section 14 of the
Twenty-Third Report of the
Finance and Administration
Committee for 1992.

**HAMILTON FARMERS MARKET
1993 FEE SCHEDULE**

SCHEDULE 'B' TO BY-LAW NO. 87-324

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees		
		Per Month	Per Day	YRLY
1 to 8	(Refrigeration Units)	275.00	N/A	3300.
12 to 18	(Refrigeration Units)	275.00	N/A	3300.
22	(Refrigeration Units)	275.00	N/A	3300.
9,10,11	(Refrigeration Units)	230.00	N/A	2760.
19,29,21	(Refrigeration Units)	230.00	N/A	2760.
23 to 46	RAMP	160.00	26.00	1920.
47 to 62A	North Wall - Main Floor	160.00	26.00	1920.
63 to 70	West Wall - Main Floor	160.00	26.00	1920.
71 to 95	South Wall - Main Floor and Under Ramp	160.00	26.00	1920.
96 to 100	Loading Docks	160.00	26.00	1920.
	(from 7:30am to 4:00pm)			
101 to 111	East Wall - Main Floor	160.00	26.00	1920.
112 to 143	Stands in Middle from East to West (North Side)	160.00	26.00	1920.
144 to 175	Stands in Middle from West to East (South Side)	160.00	26.00	1920.
30a,34a,36a,37a,46a		89.00	12.00	1068.

BILLS

CITY COUNCIL

1992 November 24

URBAN MUNICIPAL

NOV

GOV 'MENT DOCUMENTS

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED BETWEEN MOHAWK AND LIMERIDGE ROADS EAST,
EAST OF UPPER KENILWORTH AVENUE (MOHAWK SPORTS PARK)

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "A" (Conservation, Open Space, Park and Recreation) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) Sections 18A(12) and (30) of By-law No. 6593, shall not apply to 567 required parking spaces within Mohawk Sports Park.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1290.

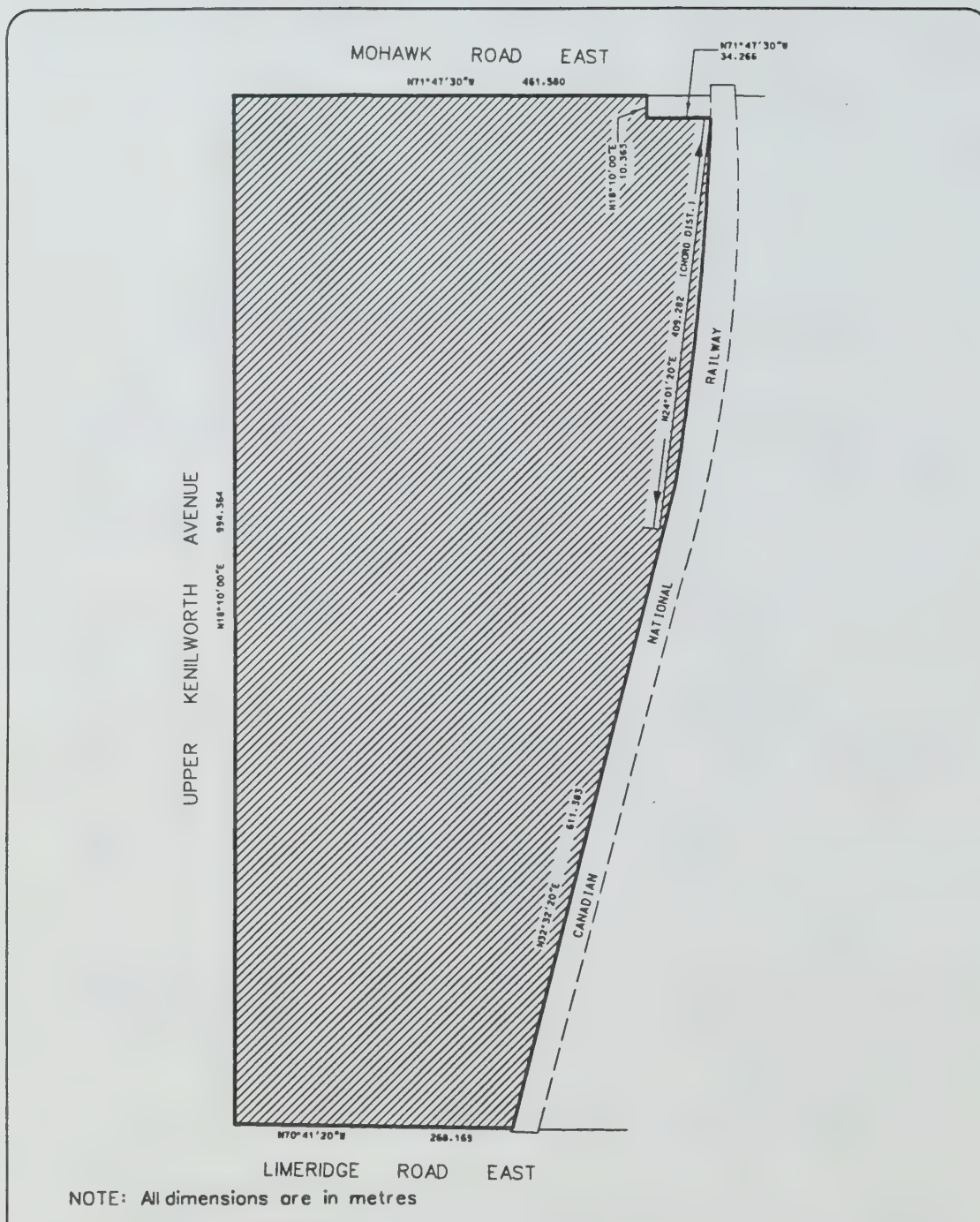
4. Sheets No. E-69 and E-69A of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1290.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor



NOTE: All dimensions are in metres


This is Schedule "A" to By-Law No. 92-____
Passed the _____ day of _____, 1992.


Clerk

Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-____
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 Lands to be regulated by
By-Law No. 92-.....

 North	Scale NOT TO SCALE	Reference File No. CI-91-E
	Date OCTOBER, 1992	Drawn By T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 76-161

Respecting:

**LANDS LOCATED ON THE WEST SIDE OF BOW VALLEY DRIVE
AND SOUTH OF HIGHRIDGE AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 76-161 on the 25th day of May 1976 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "RT-20" District, in respect of the land located in the area north of Queenston Road between Lake Avenue and Grays Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 16th day of September 1976, (File No. R 762025);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 76-220 on the 27th day of July 1976 to amend By-law No. 76-161 by changing the identification number from "S-459" to "S-487", which by-law was also approved by the Ontario Municipal Board by Order dated the 16th day of September 1976, (File No. R 762025);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 10 of the 8th Report of the Planning and Development Committee at its meeting held on the 28th day of April 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 76-161, be further amended to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 10 of the 8th Report of the Planning and Development Committee adopted by City Council on the 28th day of April 1992, has been satisfied.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 110, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 92-136, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-124 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 2; and
- (c) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1(a) are amended to the extent only of the special requirement that,

- (a) notwithstanding Sections 9(3)(ii) and 9(3)(iii) of By-law No. 6593, every building or structure, except a fence, shall be set back not less than 7.5 m from the "top of bank" along the west limit of Block 1.

3. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1(b) are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10E(4)(b) of By-law No. 6593, every building or structure, except a fence, shall be set back not less than 7.5 m from the "top of bank" along the west limit of Block 2.

4. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands comprised in Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) subsection 1. of Section 2. of By-law No. 76-161 is repealed and the following substituted therefor:

- "1. Every building or structure, except a fence, shall be set back not less than 7.5 m from the top of bank extending along the west limit of Block 1."

5. In all other respects, By-law No. 76-161 is hereby confirmed, unchanged.

6. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "RT-20" District provisions, subject to the special requirements referred to in sections 2, 3 and 4.

7. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-487a.

8. Sheet No. E-124 of the District Maps is amended by marking the lands referred to in sections 1 (a), 1(b) and 4 of this by-law, S-487a.

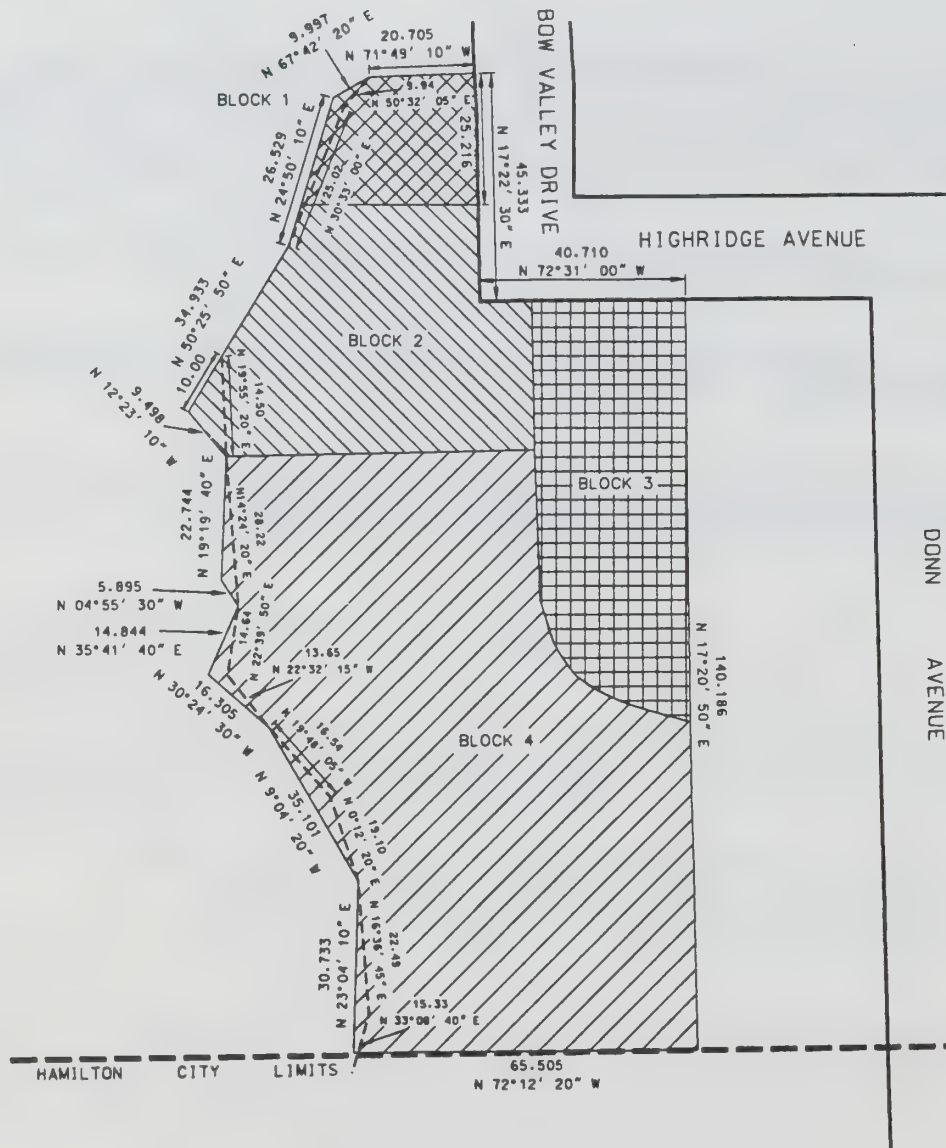
9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor

(1992) 8 R.P.D.C. 10, April 28
Vedemo Construction Limited, Owner
Amended ZA-91-18



This is Schedule "A" to By-Law No. 92-____
Passed the _____ day of _____, 1992.

Clerk

Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend	
Change in zoning from:	
BLOCK 1	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified.
BLOCK 2	"AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, modified.
BLOCK 3	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse-Maisonette) District.
BLOCK 4	Further modification to the "RT-20" (Townhouse-Maisonette) District.
----- Top of bank	

North 	Scale NOT TO SCALE	Reference File No. ZA-91-18
	Date NOVEMBER, 1992	Drawn By H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Authorize
The Entering Into of a Heritage Easement Agreement

Respecting:

THE HAMILTON HEBREW ACADEMY

WHEREAS Section 37(1) of the Ontario Heritage Act, R.S.O. 1990, c. O.18, provides as follows:

37. (1) Despite subsection 36(1), the council of a municipality after consultation with its local advisory committee, where one is established, may pass by-laws providing for the entering into of easements or covenants with owners of real property, or interests therein, for the conservation of buildings of historic or architectural value or interest;

AND WHEREAS the Local Architectural Conservation Advisory Committee at its meeting of October 19, 1992 recommended that the City enter into a Heritage Easement Agreement with John Jay Ross, In Trust, pursuant to Section 37 of the Ontario Heritage Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 19th Report of the Planning and Development Committee at its meeting held on the 10th day of November 1992, authorized the preparation of a by-law to provide for the entering into of a Heritage Easement Agreement as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton is hereby authorized to enter into a Heritage Easement Agreement with John Jay Ross, In Trust, being the owner of the lands more particularly described in Schedule "A" attached hereto and forming part of this by-law, for the conservation, protection, and preservation of the present historical, architectural, aesthetic and scenic character and condition of the exterior of the building located thereon.

2. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk, are hereby authorized and directed to execute the Heritage Easement Agreement and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1992.

City Clerk

Mayor

Schedule "A"

To

By-law No. 92-

235 Bowman Street, Hamilton, Ontario

Lot 37, Registrar's Compiled Plan 1482, in the City of
Hamilton, in The Regional Municipality of Hamilton-Wentworth.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED SOUTH-WEST OF UPPER PARADISE ROAD
AND RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-37E and W-27E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District, the land comprised in Block 1, and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

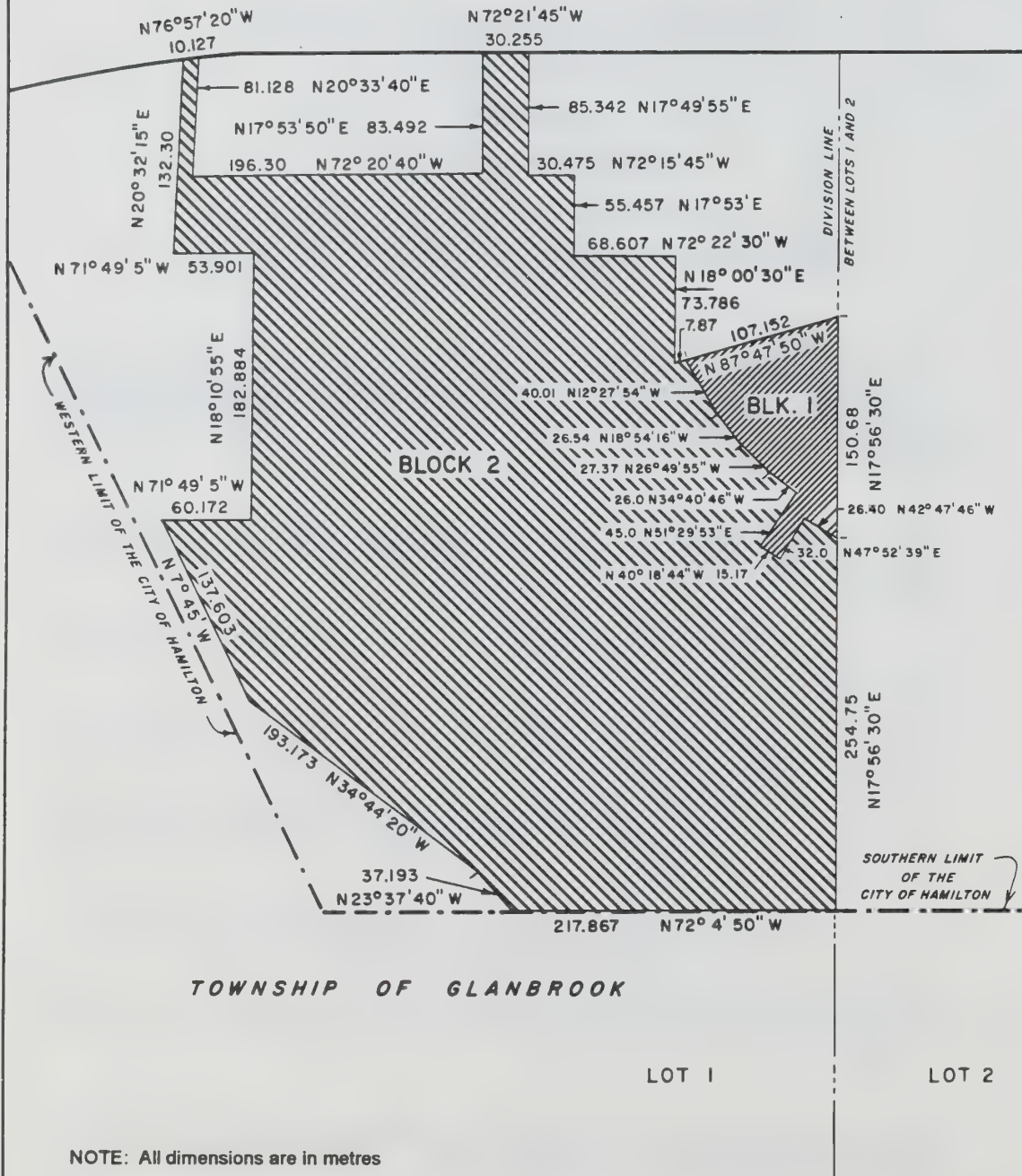
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor

RYMAL ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the day of, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from "AA" (Agricultural) District to:

BLOCK 1



"A" (Conservation, Open Space,
Park and Recreation) District.

BLOCK 2



"C" (Urban Protected Residential,
etc.) District.

North



Scale

NOT TO SCALE

Reference File No.

ZA 91 - 83

Date

NOVEMBER 1992

Drawn By

Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 255 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

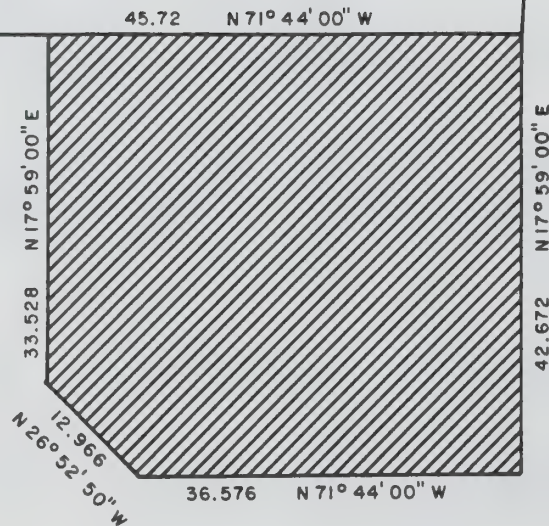
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor

BEDFORD STREET



MASSENA DRIVE

RYMAL ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the day of, 1992.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to
"C" (Urban Protected Residential,
etc.) District.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1992

Reference File No.
ZA 92-28

Drawn By
Z.K.

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF NOVEMBER A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of November A.D. 1992

CITY CLERK

MAYOR

URBAN/MUNICIPAL

CA4 ON HBL A05
A31
1992



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1992 December 8
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

AGENDA

1. National Anthem

Sherwood Secondary High School Band

2. Opening Prayer

*Archdeacon Ken Patterson
St. Michael's Anglican Church*

3. Presentations

Civic Awards:

- (a) Hamilton Synchronized Swim Club*
- (b) Hamilton-Wentworth Aquatic Club*

4. Minutes

1992 November 24

URBAN MUNICIPAL

10 1000

GOV. MENT DOCUMENTS

5. *Petitions and Correspondence*
6. *Reports of the Standing Committees*
 - (a) *Transport and Environment Committee*
 - (b) *Parks and Recreation Committee*
 - (c) *Planning and Development Committee*
 - (h) *Finance and Administration Committee*
 - (j) *Nominating Committee*
7. *Notices of Motion for Next Meeting*
8. *First Reading of the Bills*
9. *Second Reading of the Bills - Committee of the Whole*
10. *Third Reading of the Bills*
11. *Question Period*
12. *Adjournment*

M I N U T E S

1992 November 24

Minutes of Hamilton City Council
1992 November 24
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

City Council commenced with the singing of the National Anthem by the Philpott Memorial Church Youth Choir, "Unison".

* * * * *

Father Chester Chmurzynski of St. Stanislaus Roman Catholic Polish Church led Council in prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Bill Sharpe, President of Lakeport Brewery in recognition of the establishment of Hamilton's newest industry "Lakeport Brewery Corporation".

* * * * *

Mayor R. M. Morrow presented Civic Awards to members of the Hamilton and District Five Pin Bowling Association for winning the National Five Pin Bowling Championships.

* * * * *

The minutes of the meeting held 1992 November 10 were adopted as circulated.

* * * * *

Correspondence:

1. Application dated 1992 November 6 from 891157 Ontario Inc., Hamilton, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations for property located at Nos. 1010-1024 Upper Wentworth Street, Hamilton, Ontario.

Received.

2. Letter dated 1992 November 19 from 394553 Ontario Limited, 688 Concession Street, Hamilton, Ontario respecting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a take-out restaurant/delicatessen within the existing building (unit 664) for property located at 664-682 Concession Street.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - TWENTY FIRST REPORT

Section 4 Re: Offer to Purchase (Easement) Agreement by Union Gas

Alderman Charters declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Charters' wife is an employee of Union Gas.

PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT

Section 5 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 5 of the Twentieth Report of the Planning and Development Committee be deleted and replaced with the following:

5. "(a) That the Building Commissioner be authorized to not issue a demolition permit for 17 Crosthwaite Avenue North.
- (b) That the Building Commissioner be authorized to issue a demolition permit for 547 Wilson Street." **CARRIED.**

* * * * *

Section 7 (c) Re:North End East and West Community Improvement Plan - Bay Street, Guise Street and pedestrian connections to the Waterfront Park.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 7 (c) of the Twentieth Report of the Planning and Development Committee for 1992 be amended by adding the following after the word "interest" in the last line:

- 7(c) "..., (the closure of Bay Street North to be subject to review and approval of the Transport and Environment Committee); and" **CARRIED.**

* * * * *

Section 9 Re: Hamilton GO Transportation Centre Area Study

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson's business is in close proximity to this location.

* * * * *

Section 12 Re: Zoning Application - 664-682 Concession Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Merling -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-THIRD REPORT

Section 1 Re: Resolution to endorse the Irish Canadian Club of Hamilton re: development of Grosse Ile as a National Historic Park.

It was moved by Alderman McCulloch and seconded by Alderman Ross that Section 1 of the Twenty-Third Report of the Finance and Administration Committee be amended by adding the following as the eighth paragraph:

"That this resolution be circulated to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and all municipalities in Canada with a population in excess of 50,000. **CARRIED.**"

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Section 4 Re: Purchase Order - Shell Canada

Alderman Kiss declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Kiss' husband is an employee of the Company in question.

* * * * *

Section 20 Re: New Slogan for the City of Hamilton

Recorded vote.

YEAS: Aldermen Agro, Drury, Morelli, Copps, Agostino, D'Amico. -6.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -11. **LOST.**

<p>NOMINATING COMMITTEE - FIFTH REPORT</p>

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman M. Kiss be appointed Acting Mayor for the month of December, 1992. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

1992 November 24

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 November 24

CORRESPONDENCE

Correspondence:

1. Application dated 1992 November 24 from Primecan Holdings Inc., 242 Main Street East, Hamilton, Ontario requesting the removal of the "H" Holding Provision from the "C" (Urban Protected Residential, etc.) District, "RT-2" (Townhouse-Maisonette) District, modified and "E-2" (Multiple Dwellings) District, modified for lands located on the west side of Upper Wellington Street, south of Limeridge Road East, Hamilton, Ontario.

Recommendation:

Be Received.

2. Application dated 1992 November 24 from David John Armstrong, 83 Seymour Drive, Ancaster, Ontario for a change in zoning from "HH" (Restricted Community Shopping and Commercial) District, modified, to "G-4" (Designed Neighbourhood Shopping Area) modified, for property located at the south-west corner of Upper Sherman Avenue and Limeridge Road East, Hamilton, Ontario.

Recommendation:

Be Received.

3. Application dated 1992 November 30 from Ontario Land Corporation, 777 Bay Street, Toronto, Ontario for a further modification to the "C" (Urban Protected Residential, etc.) District regulations for lands located in the area between Duncairn Crescent and Heatherdale Place and on the west side of Gondola Street.

Recommendation:

Be Received.

1992 December 8

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between Fennell Avenue West and Monarch Road in conjunction with the existing "Alternate Side Parking" regulation; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 2nd Street between McElroy Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 4th Street between South Bend Road West and Richwill Road; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between McElroy Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Collier Crescent between South Bend Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That a "No Parking" regulation be implemented on the west side of Leland Street between Whitney Avenue and Merna Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday, regulation be implemented on both sides of West 1st Street between Wembley Road and McElroy Road West; and
(b) That an "Alternate Side Parking" regulation be implemented on West 1st Street between Wembley Road and McElroy Road West such that parking is prohibited;
 - on the west side of the street during the months of December, January, February, March and from the 1st to the 15th of April, May June, July, August, September, October and November; and
 - on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and(c) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Dromore Crescent between Paisley Avenue North and Marion Avenue North; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That a "No Parking" regulation be implemented on the west side of Glen Arms Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

1992 December 8

10. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Cloverhill Road from Brantdale Street to the southerly end; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
11. (a) That an "Alternate Side Parking" regulation be implemented on Brigadoon Drive between Garrow Drive and Fiona Crescent, such that parking is prohibited on:
 - the west and north sides of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
 - the east and south sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
12. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Broadway Avenue between Royal Avenue and Whitney Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the south side of Inglewood Drive be extended such that the regulation commences at a point 239 feet east of the west curb line of Bay Street South and extends to the easterly end; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "No Parking" regulation be implemented on the west side of Acadia Drive commencing at Butler Drive and extending to a point 152 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

25. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Greencedar Drive commencing at a point 50 feet west of the west curb line of Greenguild Avenue and extending to a point 100 feet westerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 479 Aberdeen Avenue.
27. That the eastbound left turn prohibition from King Street West to Dalewood Crescent, be removed.
28. (a) That westbound traffic on Venetian Drive be required to stop for northbound and southbound traffic on Greencedar Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
29. (a) That a three-way stop control be implemented at the intersection of Guildwood Drive and Novoco Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
30. (a) That southbound traffic on St. Olga Street be required to stop for eastbound and westbound traffic on Solidarnosc Place; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
31. (a) That all-way stop control be implemented at the intersection of Hughson Street and King William Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

32. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1993, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

<u>Position</u>	<u>Billing Rate</u>
Sergeant	\$ 11.70
Corporal	\$ 11.20
Commissionaire	\$ 10.77

33. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access and hook-ups to newly registered subdivision developments:

Gondola Street	-	Block "FX", Plan M129 and Part 3, Plan 62R-12372
Duncairn Crescent	-	Part 1, Plan 62R-12403 and Part 7, 62R-12372
Fieldway Drive	-	Parts 2, 4, 6, 8, 10 and 12, Plan 62R-12340
Fieldway Drive	-	Plan 1, Plan 62R- (RBH-485)
Cartier Crescent	-	Block 21, Plan 62M-694
Acadia Drive	-	Parts 7 and 10, Plan 62R-11096
Market Street	-	Part 1, Plan 62R-12288
Berkindale Drive	-	Part 6, Plan 62R-11696
Sylvester Street	-	Block "C", Plan M-206
Acadia Drive	-	Parts 20 and 21, Plan 62R-10529

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

34. (a) That the Encroachment Agreement for 55 Queen Street North, registered as Instrument No. 333310 C.D., be discharged.
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 333310 C.D.; and in a form satisfactory to the Law Department.

35. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", attached hereto, be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
36. That the Planning and Development Committee be requested to hold a neighbourhood public meeting to discuss and review the options regarding the future status of the Pearl, Poulette and Ray Street bridges over C.P. Rail's track.
37. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"WISEMOUNT ESTATES - PHASE 1", Hamilton

City's share - NIL

Subdivider's share \$90,505.66

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 1, Hamilton.
- (c) That approval of the above-noted recommendations be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into standard agreement with the City of Hamilton for pre-servicing.

1992 December 8

38. (a) That the existing 1992 charges per metric tonne of overload be amended for 1993 as follows:

<u>Type of Vehicle</u>	<u>1992 Charge</u>	<u>% Increase</u>	<u>1993 Charge</u>
Tractor Trailer	\$131.	3.0%	\$135.
Single Unit Truck	\$218.	3.0%	\$225.

- (b) That an administrative fee of \$47. be charged for processing of the permit and the proceeds be credited to the Region of Hamilton-Wentworth and the City of Hamilton pro-rated on the basis of the jurisdiction and length of route.
- (c) That the annual fee and the administrative fee be automatically increased yearly on the basis of the current year's Southam Construction Index.
- (d) That the City of Hamilton Traffic By-Law No. 89-72 be amended accordingly and forwarded to the Region for approval.
39. That Section 10 of By-law No. 84-35 which provides for Maintaining Land in a Clean and Clear Condition be amended to read "Every owner, lessee, or occupant or other person who contravenes any provision of this by-law, is guilty of an offence and upon conviction is liable to a fine as specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Ch.P.33, as amended".
40. (a) That the accounts for the 1988 to 1991 Roadway Reconstruction Programs which project in excess of \$1,000,000. in unallocated Ministry of Transportation of Ontario (MTO) subsidies, be closed based on the estimated final costs.
- (b) That the estimated City's share of these Programs be financed from the Excess Unallocated MTO Subsidies.

41. That the City Treasurer be directed to close the Public Works Department Capital Project accounts detailed in Appendix "B" attached hereto with any excess funding to be transferred to its original source of financing.
42. That an Offer to Purchase, executed by 603976 Ontario Limited (Daniel Valentini, President) on 1992 November 10, with closing to be "conditional upon the Purchaser having entered into a Subdivision Agreement for the proposed Edan Heights - Phase 3 Subdivision with the City of Hamilton and having made all cash payments and security deposits to the City required under the City of Hamilton Subdivision Agreement" and not before 1993 January 14, for the purchase of a One Foot Reserve, be approved and completed, and the funds derived from this sale of \$2. be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land). The subject property is a 1 foot strip of land along the easterly limit of Acadia Drive, shown as the remainder of Part 14, Plan 62R-11920, being also the southerly 160 metres (525 feet) more or less, of Part 14, Plan 62R-11920, containing an area of 48.77 square metres (525 square feet) more or less.
43. That a purchase order be issued to Owl-Lite Rentals & Sales, Etobicoke, for the supply and delivery of Sign Blanks as and when required during 1993 by the Traffic Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Traffic Signs Materials Account No. 56154 75999.
44.
 - (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close a portion of the unassumed alleyway between Forest Avenue and the southerly limits of the T.H. & B. Right-of-Way;
 - (b) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
 - (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
 - (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;

- (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
 - (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.
 - (g) That provided the Judge's Order to close the highway is granted:
 - i. The Commissioner of Transportation/Environmental Services be directed to prepare a By-law for the sale of the closed highway to the abutting owner.
 - ii. The City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the By-law.
45. (a) That pursuant to the terms of City Tree By-law No. 92-155, wherein, under Section 7, Sub-section (2) it states:
- "7-(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property.",
- Approval be given to the owner of 21 Abbington Drive, to remove, at his/her expense, the City tree (14" diameter - white ash) at this address; and
- (b) That the removal of this tree be carried out by a qualified contractor in accordance with terms set out by the Director of Public Works; and
 - (c) That, notwithstanding the terms of City Tree By-law No. 92-155, wherein, under Section 10, Sub-section (2) and (3), it states:
- "10-(2) If the permit is granted by City Council under Section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture-Canada Inc.

10-(3) The Director may determine the location and tree species of the replacement tree for the tree removed under Sub-section (2).",

Approval for the removal of this City tree be subject to the property owner, providing at his expense, a replacement tree from City stock, of a species and in a location agreeable to the Director of Public Works and the property owner.

46. (a) That pursuant to the terms of City Tree By-law No. 92-155, wherein, under Section 7, Sub-section (2) it states:

"7-(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property.",

Approval be given to the owner of 355 Bay Street South, to remove, at his/her expense, the City tree (26" diameter - sugar maple) at this address; and

- (b) That the removal of this tree be carried out by a qualified contractor in accordance with terms set out by the Director of Public Works; and
- (c) That, notwithstanding the terms of City Tree By-law No. 92-155, wherein, under Section 10, Sub-section (2) and (3), it states:

"10-(2) If the permit is granted by City Council under Section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture-Canada Inc.

10-(3) The Director may determine the location and tree species of the replacement tree for the tree removed under Sub-section (2).",

Approval for the removal of this City tree be subject to the property owner, providing at his expense, a replacement tree from City stock, of a species and in a location agreeable to the Director of Public Works and the property owner.

- 47. (a) That a three-way stop control be implemented at the intersection of High Street and Idlewood Avenue; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 48. (a) That the existing east/west stop sign at the intersection of Sanatorium Road and West 32nd Street be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 49. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Philip Environmental Services Corp. receiving an amendment to their existing Certificate of Approval No. A100140 for a Waste Disposal Site (Processing) located at 52 Imperial Street, Hamilton, provided;
 - i. That Philip Environmental Services Corp. prepares and submits a contingency plan to the Ministry of the Environment and the City of Hamilton that adequately addresses the issue of noise complaints which may arise from neighbours due to 24 hour operations;
 - ii. That all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and that all applicable City of Hamilton and Regional By-laws are complied with fully;
- (b) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent;
- (c) That the Ministry of the Environment be requested to forward a copy of the final Certificate of Approval to the City of Hamilton upon its completion.

50. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton does not support the application by Harbour Front Recycling Inc. for an amendment to their Waste Disposal Site (Processing), until the following conditions have been met to the satisfaction of the Municipality;
- i. Current stockpiles of waste are reduced to meet the Ontario Fire Code and the Fire Marshall's Act;
 - ii. Installation of a sprinkler system, in the building designated for storage and transfer of waste, be completed and approved before being utilized for this purpose;
 - iii. Expansion of waste classes be permitted once the proposed machinery is in place and proves capable of handling the current stockpiles of waste;
 - iv. Sufficient financial assurance has been retained by the Ministry of the Environment to effectively remediate the site in the event of unexpected closure;
 - v. The company maintain and submit to the Ministry of the Environment and the City a written monthly summary report on the operation of the site which should include a summary of waste received at the site and a monthly material balance of waste and recyclable material received and transported off-site including the name and location of the facilities receiving each waste and/or recyclable material;
- (b) That Harbour Front Recycling not be permitted to increase their storage capacity from 20 000 tonnes to 40 000 tonnes;
- (c) That the Ministry of the Environment be requested to keep the City formally informed of all dealing with Harbour Front Recycling and their compliance level on their current Certificate of Approval and their requested amendments;
- (d) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent.

51. That leave be granted to introduce the following Bills:

- (a) **Bill A-92** By-law to incorporate Block FX, Plan M-129 and Part 3, Plan 62R-12372 into Gondola Street
- (b) **Bill A-93** By-law to incorporate Part 7, Plan 62R-12372 and Part 1, Plan 62R-12403 into Duncairn Crescent
- (c) **Bill A-94** By-law to incorporate Parts 2, 4, 6, 8, 10 and 12, Plan 62R-12340 into Fieldway Drive
- (d) **Bill A-95** By-law to incorporate Part 1, Plan 62R- into Fieldway Drive
- (e) **Bill A-96** By-law to incorporate Block 21, Plan 62M-694 into Cartier Crescent
- (f) **Bill A-97** By-law to incorporate Parts 7 and 10, Plan 62R-11096 into Acadia Drive
- (g) **Bill A-98** By-law to incorporate Part 1, Plan 62R-12288 into Market Street
- (h) **Bill A-99** By-law to incorporate Parts 20 and 21, Plan 62R-10529 into Acadia Drive
- (i) **Bill A-100** By-law to incorporate Part 6, Plan 62R-11696 into Berkindale Drive
- (j) **Bill A-101** By-law to incorporate Block C, Plan M-206 into Sylvester Street
- (k) **Bill A-102** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (l) **Bill A-103** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1992 November 30

Appendix "A" as referred to in
Section 33 of the THIRTEENTH Report
of the Transport and Environment
Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
32 John Street North	Portion of Building encroaching onto King William Street	John Dimas 22 Haymarket Street Hamilton Ontario L8N 4C9	\$220.40/20.	T103-50 (1023)
69 Hughson Street North	Vinyl Awning	700 Richmond Street Suite 312 London Ontario N6A 5C7	\$220.42/172.	T103-50 (1024)
387 King William St.	Portion of Building, Chimney and Eaves encroaching onto assumed alley and wood steps encroaching on King William Street	Spears, Smith & Associates Att: J. Smith 44 Hughson Street South Hamilton, Ontario L8N 2A7	\$112./20.	T103-50 (986)
374 East 43 Street	Concrete Curb encroaching onto East 43 Street	Joseph McLaren 1278 Barton Street East Hamilton, Ontario L8H 2W1	\$112./20.	T103-50 (990)

Appendix "B" as referred to in Section 41
of the THIRTEENTH Report of the Transport
and Environment Committee for 1992

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Comm itted To Date	Balance Available	Source Of Financing
a) 608741002	Construct Works Yard @ Turner Farm	2,750,000.00	2,740,632.35	9,367.65	Reserve Prop. Pur. And Debenture
b) 608943004	Clean Up - Strawberry Drive	6,300.00	0.00	6,300.00	Reserve Capital Unclass.
c) 609041009	Upper Ottawa Street Depot	359,000.00	362,481.28	(3,481.28)	Reserve Capital Unclass.
d) 609051014	Vacalls, Steam Jenny, Elephant Vacs	222,000.00	216,996.97	5003.03	Reserve Capital Unclass.
e) 609151007	Self Mounted Power Road Direction	50,000.00	35,853.07	14,146.93	Reserve Capital Unclass.
f) 609151006	New Equip. - Street Sweepers	130,000.00	117,385.65	12,614.35	Reserve Capital Unclass.
g) 609151009	B. A. Court Yard - Resource Recovery Pit	281,500.00	242,697.36	38,802.64	Reserve Capital Unclass.
h) 609143011	Major Maintenance - Grounds	50,000.00	39,712.87	10,287.13	Reserve Capital Unclass.
i) 609145012	Parking Lots - Construct Repair (1991)	114,000.00	115,548.15	(1,548.15)	Reserve Capital Unclass.
j) 609151005	New Equip. - Sander Wing Plow Unit	108,500.00	106,155.63	2,344.37	Reserve Capital Unclass.
k) 609151008	Equip. Concrete Grinder	35,000.00	12,830.27	22,169.73	Reserve Capital Unclass.
l) 609241001	Repair Quansit Structure - Upper Ottawa	50,000.00	32,585.74	17,414.26	Reserve Capital Unclass.
TOTAL		4,156,300.00	4,022,879.34	133,420.66	

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-SECOND** Report for 1992 and respectfully recommends:

1. That the contracts between the Corporation of the City of Hamilton and Mr. D. Shock, Pro-Manager at King's Forest Golf Course and Mr. J. Beddome, Pro-Manager at Chedoke Golf Course and Winter Sports Park be renewed for a 24 month period subject to the following conditions:
 - (a) That salary increments be negotiable, but not to exceed that which is provided to Non-Union City of Hamilton employees.
 - (b) That the Pro-Managers provide not less than \$2 million public liability insurance for bodily injury and property damage naming the City as insured with respect to the operation of the Pro-Shop.
 - (c) That the City Solicitor be authorized and directed to have prepared and executed the necessary documents.
2. That the City Treasurer be directed to close the Culture and Recreation Department Capital Project Accounts as detailed in Appendix "A" attached hereto with excess funding to be transferred to its original source of funding.
3.
 - (a) That the City convey to the abutting owner Richard Over, Part 12, Registered Plan 62R-11955, having a frontage of 0.4 metres (1.31 feet) more or less, along the easterly road limit of East 19th Street, by a depth of 41.887 metres (137.425 feet) more or less, being irregular in shape, and comprising a total area of 19.999 square metres (215.27 square feet) more or less, for \$1. to be credited to Account No. CH5X303 00102 (Reserve for Property Purchases), as this remnant land is surplus to municipal requirements and not suitable for development.
 - (b) That the City Solicitor be authorized to prepare the necessary deed.
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

4. That a purchase order be issued to Westburne Supply Ontario, Burlington, for the supply and delivery of light fixtures and poles as and when required during 1993 for various parks, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed from Stock Account No. CH56197 60999.
5. That a purchase order be issued to NEDCO - a Westburne Division - Hamilton, for the supply of anodized finish light fixtures and poles as and when required during 1993 for Harbourfront Parks, being the lowest of four tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender and be financed from Stock Account No. CH56197 60999.
6. That the City Treasurer be directed to close the Public Works Department Capital Project Accounts as detailed in Appendix "B" attached hereto with excess funding to be transferred to its original source of financing.
7. (a) That the following Plan A rates be approved and implemented for the 1993 Golf Season:

PLAN A:

	<u>1992 RATES</u>	<u>1993 PROPOSED RATES</u>	<u>\$INCREASE</u>
<u>CHEDOKE</u>			
Adult	\$ 528.04 + 36.96 gst = \$ 565.	\$ 556.08 + 38.92 gst = \$ 595.	\$30.
Couples	\$ 990.65 + 69.35 gst = \$1060.	\$1028.05 + 71.95 gst = \$1100.	\$40.
Family	\$1084.11 + 75.89 gst = \$1160.	\$1144.87 + 80.13 gst = \$1225.	\$65.
Junior	\$ 191.59 + 13.41 gst = \$ 205.	\$ 219.63 + 15.37 gst = \$ 235.	\$30.
Intermediate	\$ 369.16 + 25.84 gst = \$ 395.	\$ 355.14 + 24.86 gst = \$ 380.	-\$15.
Pensioner	\$ 364.49 + 25.51 gst = \$ 390.	\$ 355.14 + 24.86 gst = \$ 380.	-\$10.
<u>KING'S FOREST</u>			
Adult	\$ 621.50 + 43.50 gst = \$ 665.	\$ 654.21 + 45.79 gst = \$ 700.	\$35.
Couples	\$1130.84 + 79.16 gst = \$1210.	\$1177.58 + 82.42 gst = \$1260.	\$50.
Family	\$1224.30 + 85.70 gst = \$1310.	\$1308.42 + 91.58 gst = \$1400.	\$90.
Junior	\$ 257.01 + 17.99 gst = \$ 275.	\$ 285.05 + 19.95 gst = \$ 305.	\$30.
Intermediate	\$ 387.85 + 27.15 gst = \$ 415.	\$ 373.84 + 26.16 gst = \$ 400.	-\$15.
Pensioner	\$ 383.18 + 26.82 gst = \$ 410.	\$ 373.84 + 26.16 gst = \$ 400.	-\$10.

- (b) That the following Plan B be implemented for the 1993 Golf Season and that the rates be comprised of a fee one third (1/3) of Plan A rates, plus one half (1/2) of the applicable green fee rate to be paid per round of golf.

PLAN B:

	<u>CHEDOKE</u>	<u>KING'S FOREST</u>
Adults	\$ 186.91 + 13.09 gst = \$ 200.	\$ 219.63 + 15.37 gst = \$ 235.
Couples	\$ 345.80 + 24.20 gst = \$ 370.	\$ 392.53 + 27.47 gst = \$ 420.
Family	\$ 378.50 + 26.50 gst = \$ 405.	\$ 439.26 + 30.74 gst = \$ 470.
Junior	\$ 70.10 + 4.90 gst = \$ 75.	\$ 72.90 + 5.10 gst = \$ 78.
Intermediate	\$ 116.82 + 8.18 gst = \$ 125.	\$ 126.17 + 8.83 gst = \$ 135.
Pensioner	\$ 116.82 + 8.18 gst = \$ 125.	\$ 126.17 + 8.83 gst = \$ 135.

- (c) That Plan A and B purchase plans be available to all persons.
- (d) That the following 18 Hole Green Fee rates at Chedoke be approved:

	<u>Existing</u>	<u>Proposed 1993</u>
Martin	\$23.	\$19.
Beddoe	\$25.	\$23.

- (e) That Non-Residents be required to pay a \$100. surcharge on all categories.
- (f) That the Pensioners (over 70) category be deleted.
- (g) That the surcharge of \$3. per player for Tournament participants be discontinued.
- (h) That a package of 11 green fee tickets be available for the cost of 10 applicable green fees commencing immediately up until 1993 March 31.

- 8. (a) That the City of Hamilton support the Hamilton World Curling Championships Bid Committee in their efforts to host the 1997 World Curling Championships in Hamilton at Copps Coliseum.

- (b) That the Finance and Administration Committee be requested to consider the following recommendations:

- i. That the City of Hamilton provide the financial assistance of a \$20,000 grant to the Hamilton World Curling Championships Bid committee to prepare and present a bid to the World Curling Federation.
- ii. In the event of a successful bid, the City of Hamilton would also provide financial assistance in the form of an interest free, loan of \$500,000 payable to the Hamilton World Curling Championship committee per the following schedule:

March 1993.....	\$100,000
December 1994.....	\$275,000
December 1995.....	\$125,000
Total Funding.....	\$500,000

- 9. That the Director of Public Works be authorized to submit an application to host either the 1995, 1996 or 1997 Ontario Parks Association Annual Conference and

Annual General Meeting combined with the Ontario Recreation Facilities Association and the Association of Aquatic Personnel of Ontario.

10. (a) That the City endorse the proposal of erecting a statue honouring the late Dr. Victor Cecilioni.
- (b) That Alderman T. Cooke and staff work together with Mr. Pat Valeriano and the Cecilioni Family to determine and recommend a suitable site for this monument.
11. That the Parks and Recreation Committee appoint the following persons to the Hamilton Historical Board for a term to expire 1995 November 30:

Jean Blackmore

Brian Carriere

Dennis Missett

Claire Riddell

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 December 1

Appendix "A" as referred to in
Section 2 of the TWENTY-SECOND Report
of the Parks and Recreation
Committee for 1992

CULTURE AND RECREATION DEPARTMENT CAPITAL PROJECTS

<u>Capital Account</u>	<u>Project Description</u>	<u>Authorized Cost</u>	<u>Expended</u>	<u>Balance</u>	<u>Source of Funding</u>
708643001	Bike Paths Phase 1	330	321	9	Capital Levy
708743001	Bike Paths Phase 2	330	99	231	Capital Levy
709054021	Mountain Bocci	8	8	0	Capital Levy
738304002	Mountain/Scourge Centre	6	0	6	Capital Levy
708241001	Highland Gardens Field House	80	0	80	Capital Levy
708551004	Inch Park Ice Making System	900	713	187	Capital Levy
708641001	Scott Park Arena	600	393	207	Capital Levy
708741003	Scott Park Arena Increase Cost	219	177	42	Capital Levy

Appendix "B" as referred to
in Section 6 of the TWENTY-SECOND
Report of the Parks and Recreation
Committee for 1992

PARKS DIVISION CAPITAL BUDGET CLOSURES

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financ'g
a) 628854002	Upgrading Gage Park	118,000.00	117,638.36	361.64	Capital Levy
b) 628854101	Parks Develop't Projects	321,400.00	295,189.05	26,210.95	Reserves Parkland & Capital Unclass.
c) 628954003	Gage Park Perennial Borders	37,000.00	36,528.10	471.90	Reserves Parkland & Capital Unclass.
d) 418454001	Waterfront Park - Study Phase	150,000.00	147,517.97	2,482.03	Reserve Capital Unclass. Debent'rSerial & Sinking Fund
e) 418454010	Waterfront Park - Crystal Palace Loc'n Study	30,000.00	30,000.00	0.00	Reserve Capital Unclass.
f) 418454002	Waterfront Park - Improvem'ts	50,000.00	45,107.45	4,892.55	Capital Levy
g) 418454003	Waterfront Park - Consultant Services	200,000.00	193,140.60	6,859.40	Capital Levy
h) 418454004	Waterfront Park - Envir'm't'l Study	600,000.00	600,000.00	0.00	Capital Levy & Reserve Capital Unclass.
i) 418454005	Waterfront Park - Environm'l Assessment	277,000.00	262,311.53	14,688.47	Reserve Capital Unclass.
j) 418454007	Waterfront Park - Market Financial Conceptual Study	131,000.00	130,844.16	155.84	Provinc. Grant & MTC Subsidy
k) 418454008	Waterfront Park - Waste Clean up - Lax Property	90,000.00	90,000.98	(0.98)	Reserve Capital Unclass.
l) 628945001	Renovate Chedoke Golf Course Parking Lot	156,400.00	156,045.42	354.58	Capital Levy Debent'rSerial & Sinking Fund
m) 629154005	Victoria Park Floodlight'g	55,000.00	53,330.85	1,669.15	Reserve Parkland
TOTAL		2,215,800.00	2,157,654.47	58,145.53	

1992 December 8

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIRST** Report for 1992 and respectfully recommends:

1.
 - (a) That the fifth and sixth annual Business Development Seminar be held in partnership with the Regional Municipality of Hamilton-Wentworth Economic Development Department on 1993 October 27 (Wednesday) and 1994 October 27 (Thursday) at the Hamilton Convention Centre.
 - (b) That the Region be requested to include the Business Development Seminar in the 1993 marking plan and the budget deliberation process of the Economic Development Department.
 - (c) That future funding for Business Development Seminars be made available in account CF5625428803006.
2. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 122 Province Street North
 - (b) 829 Rymal Road East
 - (c) 1512 Upper Gage Avenue
3. That the Building Department be authorized to enter into an agreement with the Ministry of Social Services respecting the administration of funding for properties owned by their clients as per the requirements of the City's Property Standards By-law.
4. That a Hamilton Emergency Loan Program (H.E.L.P.) in the amount of one thousand, two hundred and nine dollars (\$1,209) be approved for Lillian Danby, 11 Collier Crescent, Hamilton. The interest rate will be 8 per cent amortized over 4 years.

1992 December 8

5. (a) That Item 1(b)(ii) of the 12th Report of the Planning and Development Committee approved by City Council on 1992 June 30 be deleted in its entirety and replaced with the following:

"the acquisition program for Alpha East (east of Sherman Avenue North), which was put on hold in 1989 December be resumed for the approximately 11 residential properties remaining, on a willing seller/willing buyer basis with no expropriation contemplated, when funding is available."
- (b) That the City Treasurer be directed to close Capital Budget Account No. 308750001 (Land Acquisition Enclave Clearance Program) upon completion of the acquisition and assembly of lands in the Alpha West Residential Enclave with any excess funds remaining to be transferred to its original source of funding.
- (c) That a new project submission form, along with the appropriate cost be submitted to the Capital Budget Sub-Committee by the Planning Department as a new project for the 1993-2002 Provisional Capital Budget consideration.
6. That approval be given to Zoning Application 92-38, Allan T. McGuirl and Florrie McGuirl, owners, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District (Block "2"), to permit the development of the subject lands for small lot single-family dwellings, for property located at the rear of 614 Stone Church Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
 - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C for presentation to City Council;
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

7. A. That approval be given to Zoning Application 92-39, Pane Del Sole Bakery (Mr. Gaetano Lattuca), owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District, to permit a parking lot at 150 Catharine Street North, to be used in conjunction with an adjoining bakery use located at 104 Cannon Street East, as shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District;
 - (b) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 13C(3) of Zoning By-Law No. 6593, the following requirements shall apply to the subject lands:
 - (1) That a landscape planting strip having a minimum width of 1.5 m shall be provided and maintained along the northerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained within the landscape planting strip, except for any area used for vehicular access;
 - (2) That a landscape planting strip having a minimum width of 1.5 m, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line;
 - (3) That a landscape planting strip having a minimum width of 2.4 m shall be provided and maintained along the westerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained within the landscape planting strip;

1992 December 8

- (c) That the amending By-law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-1297, and that the subject lands on Zoning District Map E-4 be notated S-2397;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as the owner applies for and receives site plan approval.
8. That Zoning Application 92-40, Frank and Filomena Ricci, owners, requesting a modification to the existing "C" (Urban Protected Residential, etc.) District, to permit establishment of a residential care facility for nine residents, notwithstanding the minimum radial separation distance of 180 metres between such facilities, for property located at 21 Dunsmure Road, as shown on the attached map marked as Appendix "C", be denied for the following reasons:
- (a) It conflicts with one of the primary goals of the Residential Care Facilities By-law to provide the residents with an opportunity to live in an environment that closely approximates a family situation. This proposal represents a 50% increase in the number of permitted residents (from 6 to 9);
 - (b) It is contrary to the Residential Care Facilities By-law which requires a minimum radial separation distance of 180 metres between facilities to preserve the residential character of neighbourhoods. This facility is within 180 metres of five other residential care facilities (see Appendix "B");
 - (c) Approval of this application would encourage other similar applications which, if approved, would further contribute to the existing over-concentration of such facilities in Gibson Neighbourhood; and,
 - (d) The Department of Social Services advise there is no demonstrated need for additional retirement home beds in the City since there were 227 vacant beds in the system as of the end of August, 1992.

1992 December 8

9. That leave be granted to introduce the following Bills:

- (a) Bill C-126 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 860 Upper Wentworth Street
- (b) Bill C-127 A By-law to establish site plan control respecting land located at Municipal No. 860 Upper Wentworth Street
- (c) Bill C-128 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 90-286 respecting land located at Municipal No. 79 Rymal Road West
- (d) Bill C-129 A By-law to amend Zoning By-law No. 6593 and to repeal By-laws No. 79-152 and 84-228 respecting land located at Municipal No. 217 Cannon Street East
- (e) Bill C-130 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1123, 1131 and 1135 Stone Church Road East

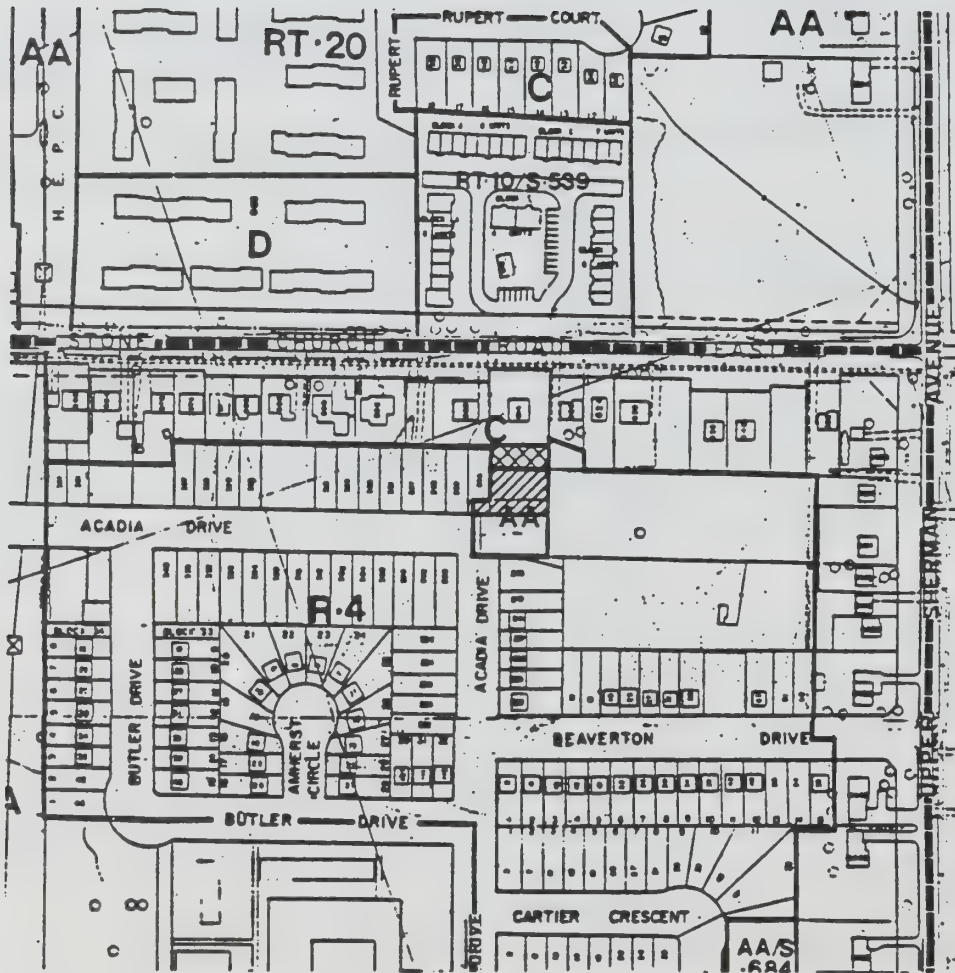
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE



Tina Agnello
Secretary
1992 December 02

1992 December 8

Appendix "A" as referred
to in Section 6 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend

- Proposed changes in zoning:
- BLOCK 1  From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- BLOCK 2  From "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.



2A-02-30

1992 December 8

Appendix "B" as referred
to in Section 7 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend



Change in zoning from "H" (Community Shopping and Commercial, etc.) District
to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.



Amended

1992 December 8

Appendix "C" as referred
to in Section 8 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend



Site of the Application

ZA-92-40

1992 December 8

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FOURTH** Report for 1992 and respectfully recommends:

1. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the "Hamilton Program for Schizophrenia".
2. That Section 22 of the Eighteenth Report of the Finance and Administration Committee for 1992 respecting the presentation of Civic gold pins to members of the Hamilton-Wentworth Aquatic Club be amended by deleting the name "Shannon Clark" and inserting in lieu thereof, the names "Tina Scott" and "Erin Dermody" as members eligible for this award.
3.
 - (a) That approval be given to the request of the Jewish Community Centre of Hamilton-Wentworth to place their Chanukah Menorah on the balcony outside the Council Chambers from Friday, 1992 December 18 to Tuesday, 1992 December 29.
 - (b) That a representative of the Jewish Community Centre be granted access to the balcony at approximately 7:00 p.m. each evening during this period to light the Menorah.
 - (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
4. That the Hamilton Farmers' Market Fee Schedules, reflecting a two (2%) percent increase for 1993 and attached hereto as Appendix "A", be adopted to replace the Fee Schedule previously approved by the Finance and Administration Committee and City Council which, by oversight, did not include the Fees relating to Stands 70a, 72a, 92, 176 as well as page 2 of the said Fee Schedule.
5. That the list of 274 names, attached herewith and marked Appendix B", of individuals who have renewed their names on the Taxicab Priority List, in accordance with By-law 89-249, be received for information.

1992 December 8

6. That the contract settlement of the Hamilton Construction Association and the Labourers' International Union of North America, Local 837, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton.
7. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source(s) of Financing
a) 708551004	Inch Park Arena - Replace Ice Making System	\$900,000.00	\$ 713,334.03	\$186,665.97	RCP* Debenture PS**
b) 708641001	Scott Park Arena - Replace Surface and Piping	600,000.00	393,074.73	206,925.27	Debenture PS**
c) 708741003	Scott Park Arena - Renovations	219,000.00	176,777.00	42,223.00	RCP* Debenture
d) 319241001	Jimmy Thompson District Centre - Replace Pool Filtration	250,000.00	181,241.91	68,758.09	Debenture
TOTAL				\$504,572.33	

*RCP - Reserve for Capital Projects

**PS - Provincial Subsidy

8. WHEREAS the Hamilton Public Library Board in addition to delivering library services to citizens of Hamilton also provides services from its specialized collections to citizens of Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek;

AND WHEREAS the Region-wide (i.e., encompassing Hamilton, Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek) services provided from the Library's specialized collections are now solely paid by taxpayers of the City of Hamilton;

AND WHEREAS in order to enable the Hamilton Public Library Board to continue to offer the said Region-wide services to all residents of the Regional Municipality of Hamilton-Wentworth it is appropriate to recover such costs from taxpayers of the Region.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hamilton as follows:

- (a) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to affirm its support for the Region-wide services provided by the Hamilton Public Library Board from its specialized collections; and,
 - (b) That Regional Council be requested to reimburse the Hamilton Public Library Board for the direct cost portion (without overhead costs) of the Library's Region-wide services as the provision of these services is in the interests of the Regional Municipality; and,
 - (c) That Regional Council be requested to implement its support of the Library's Region-wide services by including funds in its 1993 budget to provide the said reimbursement to the Hamilton Public Library Board. The direct cost of providing these Region-wide services (excluding overhead costs) from its specialized collections in 1991 was \$1,280,504. Under this proposal, during 1991 the Region would have collected \$896,352. from Hamilton taxpayers and \$384,151. from taxpayers in Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek; and,
 - (d) That if the Library's Region-wide services are not supported by Regional Council, the Hamilton Public Library Board is requested to report to Hamilton Council on alternative solutions regarding costs of its Region-wide services including reviewing the availability of such programmes to the public at no cost or at cost; and,
 - (e) That the City Clerk be directed to forward this resolution to the Council of the Regional Municipality of Hamilton-Wentworth for consideration and response.
9. (a) That the City of Hamilton sponsor the 1993 Civic Reception for the Hamilton Air Show to be held on Saturday, 1993 June 19th at a cost of \$8,500.; and,
- (b) That this amount be funded from the 1993 Account of the Special Civic Receptions and Delegation Hosting No. CH55314-84010.

1992 December 8

10. (a) That payment of the account of S. S. Wilson & Associates for consulting services in respect to the Ontario Municipal Board hearing on the Lapp Property in the total amount of \$31,469.29 be approved; and,
(b) That this amount be charged to Account No. CH55265-44001.
11. That Charitable and Non-Profit Groups no longer be regulated as transient vendors by the City's Licensing Code.
12. (a) That the City quit claim to the Region a vacant parcel of land situated in the Regional Municipality of Hamilton-Wentworth, west of Dartnall Road, being composed of part of Lot 3, Concession 8, in the former Township of Barton, more specifically known as Part 3 on Plan 62R-12318 and containing an area of 10.7 square metres (115.2 square feet) more or less, be approved and completed and the funds derived from this transfer of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases - Other Revenue); and,
(b) That the City Solicitor be authorized to prepare the necessary documents; and,
(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
13. (a) That an Option to Purchase, executed by Naim Investments Ltd. (Chaim Marcovitz, Assistant-Secretary) on 1992 November 17, and scheduled for closing on or before 1993 February 15, for the purchase of 13 Walnut Street North, more particularly described as Lot 19, Registrar's Compiled Plan 1393, said lands comprise 801.26 square metres (8,625 square feet) more or less, with frontage along the west side of Walnut Street North of 22.921 metres (75.201 feet) more or less, be approved and completed and the purchase price of \$225,630. be charged to Account No. 5698-909145001 (Land Acquisition - General); and,
(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

14. (a) (i) That the Livery Vehicles By-law be amended so as to create one class of licence for limousine service. Current rates or fares are to be maintained; and,
- (ii) That the licensing and regulating of Class "B" Livery Vehicles be repealed; and,
- (iii) That the Annual Licence Fee for a Private Taxicab be reduced to a nominal fee of \$5. where a Wheelchair Accessible Vehicle is utilized; and,
- (iv) That the definition of taxi be extended to include vehicles with a legal capacity of ten persons including the driver; and,
- (v) (1.) That any vehicle with a capacity in excess of 10 persons, including the driver, not be regulated; and
- (2.) That persons operating smaller vehicles and providing special transportation services be requested to attend the Licensing Committee to explain why they should be excluded from regulation under the Taxicab By-law; and,
- (vi) That, in 1993 February, a discussion paper be presented by the Licence Division on a revised Taxicab By-law to improve service to the public, reduce costs to the Taxi Industry and simplify the By-law respecting enforcement and compliance, with an aim to allowing the taxi industry to be more competitive on all fronts; and,
- (vii) That any transportation of school children that originates and terminates within the boundaries of Hamilton be carried out by:
- (1.) A school bus licensed by the Ministry of Transportation to carry ten (10) or more passengers or,
- (2.) A taxi licensed by the City of Hamilton to carry nine (9) passengers or less; and,
- (b) That staff develop by-law provisions implementing the above, with an aim to ensuring enforcement by complaint and inspection; and,

1992 December 8

- (c) That the City Solicitor be authorized and directed to prepare the necessary draft By-law to be brought back to the Taxi Advisory Committee for further consideration.
15. (a) That the organizational structure for the City Clerk's Department attached herewith and marked as Appendix "C", which provides for the following changes be approved.
- (i) Elimination of the following positions:
 - (1.) Deputy City Clerk
 - (2.) Administrative Assistant IV
 - (3.) Typist Clerk II (Births & Deaths)
 - (4.) One Licence Inspector II
 - (ii) Reclassification/Retitling of the following positions to reflect reassignment of duties:
 - (1.) Manager, Records Division
 - (2.) Freedom of Information Officer
 - (3.) Administrative Assistant III
 - (4.) Counter Clerk
 - (5.) Smoking Information Officer
- (b) That job descriptions for each of the above positions be prepared and forwarded to the Commissioner of Human Resources for review of salary classification for subsequent consideration and approval of the Core Group, Finance and Administration Committee and City Council; and,
 - (c) That the Inspection Section of the Licensing Division be relocated back to City Hall with the physical inspection of the Taxi Cabs being carried out in a portion of the City Garage; and,
 - (d) That renovations to the City Clerk's Department and City Garage required to accommodate these changes, be approved at an estimated cost of \$52,100. and charged to Accommodation Requirements-City Hall and Security Improvements-City Hall accounts; and,
 - (e) That the property at 195 Rebecca Street, which is currently being utilized by the Inspection Section of the Licensing Division, be deemed surplus to the City Clerk's Department's needs and if deemed surplus to other municipal needs, be disposed of.

16. That the following resolution from the City of Vaughan respecting Surplus of Municipal Campaign Funds, be received:

WHEREAS the Municipal Elections Act provides that any surplus municipal election campaign funds must be deposited with the Clerk to be held in trust for use in the next municipal election campaign or become part of the general funds of the municipality;

AND WHEREAS it may be desirable to utilize these surplus funds for charitable purposes;

NOW THEREFORE BE IT RESOLVED that the City of Vaughan requests the Minister of Municipal Affairs to amend the Municipal Elections Act to provide that candidates to municipal elected office have the option of expending surplus election campaign funds on a subsequent campaign or donating the funds to a registered charitable organization;

AND FURTHER THAT this resolution be forwarded to the Association of Municipalities of Ontario and all municipalities with a population over 50,000 for endorsement.

17. For the information of the members of City Council, the Finance and Administration Committee have appointed the following persons to the English Language Sub-Committee and the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30:

(a) English Language Sub-Committee

Michael Berens
Elvira Krackovic

(b) Hamilton Status of Women Sub-Committee

Gina Monaco
Carmen Nemeth
Janet Stewart

1992 December 8

18. That the following salary classifications be approved:

(a)

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>SALARY GRADE</u>	<u>SALARY</u>
Manager, Real Estate Division	Manages all aspects of the Real Estate Division. Ensures the effective and economic acquisition and disposition of property.	F	\$67,462.20 - \$79,383.20 per annum

(b)

Assistant Manager of Building Operations & Maintenance	Assists in the management of the property maintenance and caretaking programs for Civic properties. Directs the operations and maintenance building utility and HVAC systems.	H	\$58,386.12 - \$68,816.28 per annum
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(c)

Cultural Marketing Co-ordinator	Develops, builds and maintains a positive public profile and relationship for the arts and museums. Promotes the cultural component of the Culture & Recreation Department.	N	\$37,794.64 - \$44,568.68 per annum
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(d)

Curatorial Programming Assistant	Supervises the day to day activities of interpretative staff and volunteers. Develops, implements and promotes public programs, events and activities.	N	\$37,794.64 - \$44,568.68 per annum
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(e)			
Administrative	Supervise administrative	M	\$40,640.60 -
Co-ordinator	staff. Plan, develop and		\$47,819.20
(Fleet Services)	administer annual budget.		per annum
	Analyze, monitor and maintain		
	vehicle information records.		

19. That the "special tax" charge totalling \$450. collected from the property owners bordering Proctor Boulevard and Park Row for the annual beautification maintenance of these boulevards, be eliminated.

20. That the recommendation with respect to the addition to the Mountain Skating Centre to serve as a multi-purpose space, as approved by City Council on 1992 July 28, in adopting the Fourteenth Report of the Parks and Recreation Committee, and which reads:

"8. (a) That the Director of Culture and Recreation and the Director of Property be authorized to proceed with a design-built, 1,200 square foot addition to the Mountain Skating Centre to serve as multi-purpose space at a cost not to exceed \$100,000. contingent upon a financial contribution from the Hamilton Skating Club.

(b) That funding be provided from Account No. CF709041011."

be expanded to account for the revised project total and the disposition of financing, as follows:

(a) that the gross cost of the Twinning of the Mountain Arena be increased by \$35,000. from \$2,011,590. to \$2,046,50. to accommodate the addition to the Mountain Skating Centre, and

(b) that any excess funding from the Reserve for Capital Projects as a result of provincial subsidies and the Hamilton Skating Club contribution, be credited back to the Reserve for Capital Projects.

1992 December 8

21. (a) That the following transfers be approved to distribute Ministry of Transportation (M.T.O.) subsidies to the 1988 to 1991 Roadway Reconstruction Programs:

Program (1)	From (2)	To (3)
1988 Reconstruction Program	\$ 289,523.04	
1989 " "	354,758.03	
Excess Unallocated M. T. O. Subsidies	3,201,120.93	
1990 " "		\$1,037,402.00
1991 " "		<u>2,808,000.00</u>
	<u>\$3,845,402.00</u>	<u>\$3,845,402.00</u>

- (b) That an amount of \$1,000,000. be transferred from the Excess Unallocated M.T.O. Subsidies to the 1992 Reconstruction Program to reduce the amount of Capital Levy financing required.

22. (a) That the "Reserve for Capital Projects - C.U.P." be closed and the balance of \$3,858. transferred to the "Reserve for Capital Projects" (City); and,

- (b) That the "Reserve for Long Term Disability Plan" be combined with the "Reserve for Medical" and "Reserve for Group Life" and be renamed "Reserve for Employee Benefits - Self Insurance" to better reflect the mix of funding in this account related to Group Life, L.T.D., and medical costs, and the goal of wholly funded self-insurance for each of these benefits; and,

- (c) (i) That the "Reserve for Office Equipment", which presently covers replacement of motorized office equipment, be renamed "Reserve for Replacement of Office Equipment and Furniture" and the purpose be amended to include replacement of facsimile equipment and furniture such as chairs, tables, desks, work stations, dividers, etc.; and,

- (ii) That expenditure approval for replacement from this reserve include the C.A.O., Treasurer and Manager of Purchasing, in accordance with the spending limits and purchasing policies of the City; and,
- (d) That a new reserve, the "Reserve for G.S.T. Adjustments" be created and funded from the unanticipated G.S.T. recovery associated with the Hamilton Hydro's appeal for special municipal status with respect to charging G.S.T., and the subsequent reimbursement to the City, in the amount of \$134,343.; and,
- (e) That actuarial valuations be performed on the following reserves in order to determine the appropriate level of funding, and that the costs of the valuations be charged to the applicable reserve:
 - (i) Reserve for Sick Leave (payment of employee's accumulated sick bank upon termination or retirement)
 - (ii) Reserve for Workers' Compensation (payment to W.C.B. for costs of worker injuries plus administration fees by W.C.B.)
 - (iii) Reserve for Employee Benefits - Self Insurance (to fund group life, L.T.D. and medical costs).
- (f) That the "Reserve for Maintenance of Playground Facilities" be closed and the balance of \$47,970. plus any accrued interest be transferred to the Playground Equipment Project (709152001) to fund the net overdraft in that project of \$41,642. with the balance to be credited to Unallocated Capital Levy; and,

1992 December 8

- (g) That the "Reserve for Uninsured Losses" be credited with any unexpended balance remaining in the insurance premiums cost centre at the end of each year in order to assist in the funding of this reserve; and,
 - (h) That unallocated Capital Levy at the end of each year be transferred to the Reserve for Capital Projects to form part of the funding for future capital projects; and,
 - (i) For the information of the members of City Council, copies of a booklet entitled "Analysis of Reserves", dated 1992 November 26th, were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.
23. That outstanding business taxes in the amount of \$356,743.05, be written-off in accordance with Section 441 of the Municipal Act, R.S.O., 1990, and charged to Account CH53401-24106, Tax Write-offs.
24. That outstanding Accounts Receivable and Civic Properties Rental Arrears totalling \$42,408.40 be written off and charged to Account CH 15401-00001, Allowance for Doubtful Accounts.
25. That the Treasurer be authorized to complete any documents necessary to participate in joint investment pools authorized under the Municipal Act or other enabling Provincial legislation.
26. That as a result of amendments to the Cemeteries Act by Bill 31 "An Act to Revise the Cemeteries Act", the Treasurer be authorized to take the following actions with respect to reserves/trust funds:
- (a) Create a new reserve entitled "Reserve for Cemetery Building Fund - Niches" to be funded by 42.5% of the revenue received from the sale of niches; and,
 - (b) Create a new Trust Fund entitled "Care and Maintenance Fund for Monuments and Markers" to be funded by the formula provided under the Cemeteries Act, which is a separate charge to ensure safety of markers and monuments; and,
 - (c) Re-title the "Perpetual Care Trust Fund" to the "Care and Maintenance Fund".

27. (a) That as referred to in Section 8 of the Twenty-Second Report for 1992 of the Parks and Recreation Committee Report, the \$20,000. grant to the Hamilton World Curling Championships Bid Committee to prepare and present a bid to the World Curling Federation be funded from the current "Contingency" account, Centre 24120; and,
- (b) That the requirements for an interest free loan to the Hamilton World Curling Championships Bid Committee in the event of their successful bid, in the amount of \$500,000., be funded from the "Reserve for Contingency", Centre 00115; and,
- (c) That the City Solicitor prepare an agreement between the applicant and the City of Hamilton for the loan which would include the timing of the payments by instalments and the eventual repayment of the loan to the City; and,
- (d) That the Regional Municipality of Hamilton-Wentworth be approached regarding possible Regional participation in the funding of the 1997 World Curling Championship Bid and Event and should such participation be forthcoming, that the City financing referenced above be reduced accordingly; and,
- (e) That one City staff person and one member of City Council serve on the Hamilton World Curling Championship Bid Committee.
28. That effective 1993 January 1, taxpayers be permitted to enrol in the Optional Monthly Automatic Payment Plan (MAPP) at any point in time during the year. This enrolment is subject to the taxpayer's compliance with the requirements of By-law Number 71-69. In addition enrolment during the year would require that all tax arrears as well as the current instalment due be paid.
29. (a) That the City of Hamilton petition the Premier of Ontario to protest the action taken by Ontario Hydro to increase the cost of power effective 1993 January 1, by approximately 8.2%, despite current economic hardships; and,
- (b) That Hamilton Hydro be commended for its attempts to manage this Provincial increase as efficiently as possible by levelling a rate increase of 6.91%.

30.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15162/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited of \$12,000. inclusive of all damages, interest and costs; and,
 - (b) That City of Hamilton resolve Ontario Court (General Division) Action No. 15259/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited the sum of \$9,200. inclusive of all damages, interest and costs; and,
 - (c) That the City provide Full and Final releases in a form satisfactory to the City Solicitor in both actions, and that both actions be dismissed.
31.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 32435/91 by the payment to the Plaintiff, Andrew Wilson, of the sum of \$15,765. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department; and,
 - (c) That the Ontario Court (General Division) Action No. 32435/91 and any and all crossclaims shall be dismissed without costs.
32.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 26772/91 by the payment to the Plaintiffs, Anna and Paul Chaisson of the sum of \$6,000. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the Law Department; and,
 - (c) That Ontario Court (General Division) Action No. 26772/91 be dismissed without costs.

33. (a) That the City decline the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 418/90, dated 1992 September 2nd; and,
- (b) That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action No. 418/90 in the following terms:
- (i) That the City of Hamilton pay to the Plaintiffs, Edward Gerard Cross, Angela Nicole Cross, Heather Cross by her litigation guardian, Angela Nicole Cross and Edward Cross junior, by his litigation guardian, Angela Nicole Cross the sum of \$20,000. inclusive of all General and Special Damages; and,
 - (ii) That the City of Hamilton pay to the Plaintiffs pre-judgment interest on the above noted sum at the rate of 5% per annum, calculated from the date of notice to the City to the date of payment pursuant to acceptance of the Offer; and,
 - (iii) That the City of Hamilton pay to the Plaintiffs their Party/Party costs, including disbursements, to be agreed or assessed; and,
 - (iv) That the Plaintiffs provide a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (v) That the action be dismissed without costs.

1992 December 8

34. That leave be granted to introduce the following Bills:

- (a) Bill H-71 By-law to Consolidate: The Hamilton Farmers ' Market By-law No. 81-180 and amendments thereto enacted between 1981 and 1992 into one by-law, and to incorporate the Hamilton Farmers ' Market 1993 Fees Schedule.
- (b) Bill H-72 A By-law to Repeal By-law 92-095.
- (c) Bill H-73 A By-law to Amend Schedule 22 to Licensing By-law No. 79-323 Respecting Transient Vendors.
- (d) Bill H-74 A By-law to Amend Municipal Tax Levy By-law 71-69 Respecting Optional Pre-Authorized Realty Tax Payments.
- (e) Bill H-75 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1992 December 3

Hamilton Farmers' Market

SCHEDULE "B"

Appendix "A" referred
to in Section 4 of the
Twenty-Fourth Report of the
Finance and Administration
Committee for 1992.

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees		
		Monthly	Daily	YRLY
1 to 8	(Refrigeration Units)	275.00	N/A	3300.
12 to 18	(Refrigeration Units)	275.00	N/A	3300.
22	(Refrigeration Units)	275.00	N/A	3300.
9,10,11	(Refrigeration Units)	230.00	N/A	2760.
19,20,21	(Refrigeration Units)	230.00	N/A	2760.
23 to 46	RAMP	160.00	26.00	1920.
47 to 62A	North Wall - Main Floor	160.00	26.00	1920.
63 to 70	West Wall - Main Floor	160.00	26.00	1920.
71 to 95	South Wall - Main Floor and Under Ramp	160.00	26.00	1920.
96 to 100	Loading Docks (from 7:30am to 4:00pm)	160.00	26.00	1920.
101 to 111	East Wall - Main Floor	160.00	26.00	1920.
112 to 143	Stands in Middle from East to West (North Side)	160.00	26.00	1920.
144 to 175	Stands in Middle from West to East (South Side)	160.00	26.00	1920.
30a,36a,37a,46a		89.00	12.00	1068.
70a,72a		67.00	12.00	804.
92		225.00	26.00	2700.
176	Coffee Shop	320.00	N/A	3840.

Hamilton Farmers' Market

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No.'s</u>	<u>Dealers' Fees</u> <u>Per Annum</u>
1 to 176	\$ 91.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance..... \$ 7.00 per day

PART 4: FRIDAY MARKET FEES

8 FT. Refrigeration Unit	\$ 17.00 per day
12 FT. Refrigeration Unit	\$ 21.00 per day
Regular Stands	\$ 12.00 per day
Each Additional Stand	\$ 7.00 per day
Coffee Shop	\$ 23.00 per day
Daily Users' Fees	\$ 26.00 per day

**CITY OF HAMILTON
TAXICAB PRIORITY LIST**

Appendix "B" referred
to in Section 5 of the
Twenty-Fourth Report of the
Finance and Administration
Committee for 1992.

NOTE: Plate issuances are NOT automatic for any reason.
All applications are considered within the terms
and conditions contained in relevant by-laws as
enacted by Hamilton City Council.

All addresses without the name of a City/Town are located
within the City of Hamilton.

EFFECTIVE: JULY 25, 1989 - City Council
REVISED: Sep. 30, 1992 - Licensing Committee

APPLICATION DATE YR/MO/DAY	NAME	ADDRESS	PHONE NUMBER
69.4.21	Vivian Philips	700 Upper Kenilworth #1011	387-4680
71.11.17 (Medical deferment - March 12, 1987)	Heinz Kruger	468 James Street North	
73.5.11	Lou Parco	751 Auburn Cr. Burlington	637-1402
75.8.18	Simon Hishmeh	74 Garden Crescent	389-0397
75.9.15	Hassan Agha	35 Fennell Avenue West	387-4058
78.1.25	Barbara Jean O'Neill	R. R. #2 Nanticoke, Ont.	776-2310
78.2.1	Marilyn Majoros	501-99 Herkimer Street	528-8607
78.2.13	Paul Hathaway	136 Gage Avenue South	547-8889
78.2.15	John Donald	270 Kensington Avenue North	545-6230
78.2.15	Theresa Donald	270 Kensington Avenue North	545-6230
78.2.15	Roman Jankevicius	12 Bernard Street	577-2775 549-1455
78.2.16	Cecil Snow	25 Carene Avenue	561-6789
78.2.23	Robert Offen	1165 Fennell Ave. E. #505	383-6127
78.3.7	George Kepenyas	50 Governor's Road #901, Dundas	628-4939
78.4.3	Hans Wienhold	517 Stone Church Road West	387-6296

78.4.17	Khalil Zourob	404 Upper Ottawa Street	575-1232
78.7.24	Ishar Singh Thiara	2055 Deer Run Avenue Burlington	335-4375
78.12.5	William T. Winship	262 Tragina Avenue North	545-1522
79.1.2	George J. Racik	81 Victoria N. Effort Sq PO 91093 L8N 4G3	525-8934
79.3.30	Joseph Kubina	13 Warwick Road, Stoney Creek	664-4282
79.4.3	Peter C. Eldridge	136 Bay Street S. #607	525-9576
79.5.9	Muriel Truelove	31 Fern Place	383-5922
79.5.9	John Driscoll	9113 Twenty Road, Mount Hope	679-6089
79.5.9	Ken Muschik	375 Melvin Avenue #3	547-5970
79.5.9	John Pope	566 King Street East	529-1034
79.5.9	Gordon Simigian	59 Earl Street	544-5850
79.5.9	Gary A. Vere	121 Hunter St. W. #1110	523-1310
79.5.9	Richard M. Stolman	75 Queen Street North #1904	522-0080
79.5.10	Gerald J. McRoberts	66 Greendale Unit 15	385-3643
79.5.10	Garry C. Gardiner	644 Main Street West #1018	523-6106
79.5.10	Petros Iliou	182 Rothsay Avenue	548-6405
79.5.10	Steve Iliou	78 Garden Crescent	575-5986
79.5.10	Norman L. Domenico	107 Belmont Ave.	549-1385
79.5.11	Norman G. Chatten	536 James Street North	529-4984
79.5.11	June Luke	110 San Remo Drive	387-0350
79.5.11	Donald Fraser	170 Prospect Street South	544-8791
79.5.14	Judith Offen	1165 Fennell Ave E. #505	383-6127
79.5.15	Daniel Gagnon	459 Knightbridge Cr. Ancaster	648-0689
79.5.16	Sydney Sinclair	23 Spring Street #39	529-5024
79.5.17	Edward J. Halloran	111 South Bend E.	385-9110

79.5.18	Walid Chafic	1420 Garth Street, #39	388-0402
79.5.18	Leopauld G. Beauchamp	175 West Avenue North	525-9348
79.5.22	Yair Ziser	39 Yarmouth Court	527-1600
79.5.23	Hannibal Rizzuto	33 Nellida Cr R R #1 Ancaster	383-3206
79.5.28	Malcolm R. Moore	113 Highway #8, Dundas	627-0283
79.5.28	Colin O'Rourke	75 Wendover Drive #111	
79.5.28	William D. Cranston	493 Mohawk Road West	574-2489
79.6.1	Thomas G. Brown	9 Lamoreaux Street #70	522-0927
79.6.4	Lynne B. Clay	633 Upper James #210	383-1943
79.6.6	Leonard Willetts	159 Prospect St. S., #101	544-8502
79.6.26	Gerald J. Tremblay	377 Charlton Avenue West	525-7142
79.6.26	Raymond Picken	151 Stinson Street #7	52424379
79.6.28	Earl J. Shaidle	120 Strathcona Ave. N #319	523-0041
79.7.5	Stan Krok	75 Queen Street North, #1903	522-8877
79.7.12	Wainwright Cruickshank	56 Yorkdale Cr. Stoney Creek	578-7930
79.7.13	Gordon Cumming	9 Stroud Road	
79.8.15	Adnan Shedhadeh	44 Queen Street North, #611	528-6440
79.8.24	Susan D. Jackson	61 Norman Street	545-7645
79.9.11	Sharon Bellamy	350 Britannia Avenue	547-0283
79.10.1	Daniel L. Bernier	35 Beechwood Avenue	549-0234
79.10.5	Lorraine Mooney	26 Gerrick Court	389-8430
79.10.30	William J. Perkins	50 Strawberry Drive	578-4002
79.11.9	Larry Roberge	487 Knightsbridge Ct Ancaster, Ontario	648-2183
79.11.14	Roger Francoeur	15 Isidore Pl. Stoney Creek	578-5872
79.11.19	Michael McLoughlin	819 Lee Ct. Burlington	637-5265

79.12.6	Peter Obratoski	5 Empire Court	560-0635
79.12.17	Zuhair Shihadeh	11 Kendale Ct. #207	574-3864
79.12.18	Dan Bissett	8 Tuer Avenue, Grimsby	945-0131
80.1.14	Antal Takacs	240 Mohawk Road East #608	385-0603
80.2.11	J. Michael Grant	2189 King St. E., B1	547-3599
80.2.12	Marc Stuart Hathaway	14 Twilight Court	560-7135
80.2.14	Yoginder K. Sharma	217 MacIntosh Dr. Stoney Creek	664-1963
80.2.27	Adelia Balice	326 Darlington Court	388-7674
80.2.28	Cosimo Balice	326 Darlington Court	388-7674
80.4.10	James O'Neill	185 East 31st Street	388-2968
80.7.14	Anthony Paul DiCiccio	834 Mohawk Road West	389-9471
80.7.29	Inam-Ur-Rehman	15 Nicklaus Drive, #801	578-7253
80.10.6	Joginder S. Sanghera	3314 Hannibal Rd., Burlington	336-5039
80.10.6	Gurdip S. Soor	85 Brant Haven Drive	560-3690
80.12.5	Mohammad Ahmed	123 Bold Street #38	
80.12.18	William T. Stokoe	93 East 38th Street	575-1230
80.12.22	Kalous Kaloustian	121 Hunter Street West #610	525-0419
80.12.23	Robert Koczerzat	35 Melrose Avenue N.	unknown
80.12.24	Solomon Marcellin	56 Algonquin Ct.	387-2693
81.1.7	Randall G. Cruden	157 Ranwood Ct	575-7121
81.1.20	Michele A. Gilmour	21 Lorne Avenue	
81.2.18	Donald S. McCaskie	126 Wellington St. S. #1	
81.4.8	Nathan Anderson	144 Albion Falls Blvd.	388-1743
81.4.22	John Weiss	8 Brae Crest, Stoney Creek	664-4878
81.4.30	Shirley Hathaway	14 Twilight Court	
81.8.6	Daniel Veltri	413 Britannia Avenue	549-2548

81.10.26	Stephen Jones	85 Halam Avenue	883-9050
81.10.30	Ronald Mladenich	30 Glendale Avenue N #1	547-3668
81.11.24	Wayne Stewart McGregor	241 Edgemont South	547-0480
81.12.14	Elaine Suggett	R R #6 Simcoe, Ontario	428-1870
81.12.16	George Truelove	31 Fern Place	383-5922
81.12.18	Larry E. Fitzpatrick Sr.	418 Paling Avenue	549-5991
82.1.13	Donald Horrocks	858 Upper James Street P O Box 20256, Hamilton	574-1617
82.1.18	Richard Urban	232 Gibson Avenue	545-3970
82.1.28	John Francis Mooney	26 Gerrick Court	389-8430
82.1.28	Anthony Rizzuto	8 Chateau Court	388-3310
82.2.1	Philip Dales	195 Wellington St. S. #143	572-6174
82.2.3	William Earle	275 Wexford Avenue South	544-2613
82.2.8	Drago Basic	1224 Wilson Street	523-0120
82.2.10	Alecia Davis	858 Upper James St. P O Box 20256, Hamilton	574-1617
82.2.26	John C. MacDonald	89 Balmoral Avenue North	544-8554
82.3.18	Theodors Toma	23 Quincy Court	385-9664
82.4.5	Putrus Isak	2020 Cliff Rd. #402 Mississauga, Ontario	524-1465
82.4.14	Jogindar Singh Dhaliwal	563 Queen Victoria Drive	385-7625
82.6.8	Keith Johnson	P.O. Box 65547, Dundas	524-1968
82.6.10	Donna Bourke	81 Sparton Ave. Stoney Creek	664-7310
82.6.24	William Khammo	51 Markham Crescent	561-0195
82.6.24	Andrea Rochelle Rosart	70 Falkirk Drive	383-0168
82.6.30	Paul Robertson	500 Greens Road, #917 Stoney Creek	662-6841
82.7.21	Thomas F. Sebisty	1266 Fennell Avenue East #405	575-0974

1992 December 8

82.7.21	Pierre Richard	227 Catharine St. N.	525-0582
82.8.9	Frederick R. Neale	201 Rosslyn Avenue North	549-0326
82.8.31	Valerie Visheau	14 Wedgewood Avenue	573-6343
82.9.16	Ross Cole	9 Longwood Road South, #202	
82.9.21	Dale Martin	162 Tragina Avenue North	544-2265
82.10.8	Richard Sindall	569 Timber Lane, Burlington	637-2603
82.10.18	Harbans Singh Kalsi	43 Sundrop Ct, Ancaster	383-2296
82.11.1	Mark Granby	35 East 23rd Street	
82.11.8	Uffe Mortensen	257 Cope Street	544-2450
82.11.8	William G. Romans	5880 Walkers Road, Mount Hope	679-6689
82.12.1	Sam Veltri	159 Barnesdale Avenue North	544-4241
82.12.17	Elizabeth Jane Milligan	160 Garside Avenue North	549-3900
82.12.17	Tessie Mary Manson	624 Stone Church Rd E	574-3665
82.12.23	Ahmad Malik	1001 Main Street West #822	524-2784
83.1.4	Glen Bridges	21 Garvey Crescent	561-3755
83.1.21	Gurdial S. Kapur	32 Pheasant Place	388-6046
83.2.21	Ronald Geer	85 Barlake Avenue #905	561-7929
83.4.27	Basil W. Scime	123 Rosedene Avenue	387-4769
83.5.18	Devinder Bains	2068 Headon Forest Dr Burlington	336-5983
83.6.9	Sandra Fukumoto	180 Lavender Drive	648-8943
83.7.4	Dane Hathaway	366 Templemead Dr	389-0495
83.8.15	Madan Lal Arora	38 Regis Ct, Stoney Creek	
83.9.1	William A. Gravelle	17 Holly Avenue	549-6548
83.9.19	Brenda Roberge	487 Knightsbridge Cr Ancaster, Ontario	648-2183
83.10.25	Mohinder Singh Lamba	111 Highland Rd West Group c, Box 46, Stoney Creek	578-9468

84.1.26	Lee Micheal Vidovich	97 1/2 John Street South	521-5557
84.1.31	Richard VanKleef	135 Stewartdale Avenue	522-0748
84.7.12	Rudolph A. Cizek	1115 Paramount Dr. #72 Stoney Creek, Ontario	578-3965
84.8.2	Jefferson Lee Singler	687 Penny Lane, Burlington	634-0928
84.10.1	Alan R. Kent Sr.	42 Collegiate Drive Stoney Creek, Ontario	662-6229
84.10.1	Alan R. Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.1	Janice Parry Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.1	Richard N. Madeleine	703 Rennie Street	547-3294
84.10.3	Collette Roberge	30 Atkins Drive	575-9777
84.10.10	Anthony P. Tartaglia	33 Nellida Cr. R R #1 Ancaster, Ontario	383-3206
84.10.10	Al Reichert	856 Upper James St PO 20213, Hamilton	318-1345
84.10.22	Anne Scime	123 Rosedene Avenue	387-4769
84.10.23	Robert J. Wilson	Box 1021, Hagersville	776-3431
84.10.24	Alphonso Franco	44 Glen Road, #1209	527-4692
84.10.29	Naomi Tasman Bell	172 Sanford Avenue S. #1	570-8894
84.10.30	Paul R. Marshall	60 Birch Avenue	545-5388
84.10.31	Darryl Scott Friend	536 James Street North	529-4984
84.11.20	Bruce Griffith	219 Mohawk Road W	389-4711
84.12.14	Kidane Gebre Zerezghi-Tewolde	63 Anson Avenue	575-4116
84.12.19	Michael Roth	117 Fairleigh Ave. S. #3	547-6024
84.12.19	Ben Kalika	8313 Twenty Road E	679-6326
84.12.28	Ronald W. Moroz	176 Balsam Avenue South	544-3940
85.1.24	Sukhdev Singh Bhatti	631 Rexford Drive	389-4822

85.2.26	Mohammad Naeem Khan	4 Orphir Road	544-5837
85.3.18	Santokh Dhaliwal	265 MacIntosh Drive Stoney Creek, Ontario	664-7157
85.4.4	Naomi E. Brink	977 Mohawk Road East, #4G	389-9773
85.5.29	Delmer(Wayne)Robinson	55 Victoria Ave. South #602	527-1221
85.5.29	John Miller	168 Rodgers Road	545-8637
85.9.25	Michael J. Bernier	54 Melbourne Street	527-5442
86.1.16	Leonard Roberge	30 Atkins Drive	575-9777
86.1.31	Jack H. Yachouh	315 Queen Victoria Drive	388-7109
86.1.31	Karlís Valodze	78 Dundurn Street North	522-4754
86.2.6	Rudolf J. Weber	66 Afton Avenue	545-3567
86.5.8	Ian E. Morrice	PO Box 3849, Stn C	524-5042
86.7.2	Michael Geer	P.O. Box 3624, Stn C, Hamilton	664-2702
86.7.3	Denise Georgian	166 East 34th Street	388-7657
86.8.5	Shabir Ahmed	177 Templemead Drive	387-2493
86.8.12	Reginald Hackett	960 Stone Church Road East	575-0907
86.8.27	Harmen Bontekoe	7 Imelda Court	383-4646 383-5615
86.9.5	Habte-ab Tecle-Mariam	631 Upper James Street #304	387-4641
86.10.2	Ibrahim Saddik	129 Adis Avenue	575-9156
86.10.20	Nirinder Jit Dhaliwal	33 Twin Oaks Dr.Stoney Creek	573-1641
86.10.23	Peter H. Robertson	33 Robinson Street #204	526-1624
86.12.10	John Fischer	191 Main Street W. #2206	523-6034
86.12.15	Jeff Sindall	300 Mohawk Rd E #57	389-3534
86.12.29	Anthony R. Rizzuto	8 Chateau Court	388-3310
86.12.29	Felita Anderer	440 Quigley Rj.	560-2716

86.12.29	J. Wayne Vanderham	1349 6th Concession Rd W R.R. #2 Branchton, Ont.	578-5225
86.12.29	Lance Vanderham	79 Janet Ct	578-3514
86.12.29	Shahid Butt	6 Elsa Ct	574-6547
86.12.30	Shakil Siddiqui	100 Quigley Road, U121	578-1230
87.1.2	Rob Hathaway	136 Gage Avenue South	547-8889
87.1.5	Basharat Butt	1020 Main Street West	521-0853
87.1.8	William Majoros	28 Elmore Drive	318-0729
87.1.9	Eric Shepherd	295 Sirente Drive	383-7950
87.1.20	Ken A. Watson	125 Meadowlark Drive	388-7015
87.1.26	Wayne Lepine	453 Upper Sherman Avenue	383-3878
87.2.10	Dirk J. Van Boort	99 Grosvenor Avenue North	545-3899
87.2.19	Gordon A. Greb	18 Lord Crt	573-7532
87.2.20	Jaswant S. Purewal	26 Cherryridge Close	561-4783
87.2.23	Edward Seeley	162 Tragina Avenue North	544-2265
87.2.26	Radmila R. Iliou	182 Rothsay Avenue	548-6405
87.3.6	Peter Kalika	8313 Twenty Road East	679-6326
87.3.18	Charles Manning	170 East 23rd Street	388-0579
87.4.21	John R. Kurpeikis	23 Myrtle Avenue	521-3064
87.5.1	Joseph Vanderheyden	6 Peacock Place	383-4202
87.5.7	Chris Griffith	41 Ventura Dr, Stoney Creek	560-7711
87.5.16	Nabo Terika	40 Sherman Avenue North	544-4776
87.5.29	Kenneth C. Reichert	42 Limeridge Road East	388-9218
87.5.29	Cindy F. Blackbarow	775 Concession Street #H-3	318-1345
87.8.31	Alisa A. Bellamy	350 Britannia Avenue	547-0283
87.9.10	Dhaya E Yonathan	872 Upper Gage Avenue #201	575-0630
87.9.10	Laura Sindall Harris	175 Limeridge Road W #D9	575-7998

87.10.8	Bonnie L. Roubos	P.O.Box 3624 Stn C, Hamilton	664-2702
87.10.27	John Scime	13 Beland Avenue South	545-0762
87.11.25	William P. McKenna	633 Upper James Street #110	389-4512
87.12.21	Joseph Varga	112 Barton Street West	529-3763
88.1.4	Berhane Asghedom	240 Mohawk Road East #605	575-1793
88.1.5	Frederick J. Muldoon	45 Cheever Street	
88.1.6	Mario Posteraro	91 Regent Avenue	575-9439
88.1.6	Joe Porco	155 Sawmill Road R R #2 Caledonia, Ont	765-1962
88.1.13	Jagir Multani	29 Tuna Court	388-6167
88.1.14	Gurdeep Braich	287 Morgan Crt, Burlington	332-0030
88.1.18	Charan Bassi	32 Candor Cr., Stoney Creek	643-0093
88.1.20	Brenda Whittaker	111 Teal Avenue, Stoney Creek	662-3790
88.1.29	Mohammad Farooq	16 Fiona Crescent	575-0807
88.2.10	Michael J. Magee	P.O. 23, Millgrove, Ont.	689-7298
88.2.12	James Whittaker	111 Teal Avenue, Stoney Creek	
88.2.15	Michael K. Bezuyen	99 Herkimer Street #902	528-7461
88.2.22	Raphael Kolenko	247 Hwy 8 East Stoney Creek, Ontario	662-8960
88.2.22	Al Arthurs	354 Lake St. Grimsby, Ont.	945-1177
88.2.26	Martha Ferguson	687 Ferguson Rd., Jerseyville	648-3687
88.2.26	Sam Sleiman	149 Ravenbury Drive	575-4804
88.3.8	Paul J. DiCasa	430 Cannon Street East	522-3539
88.3.28	Anthony Vaudin	98 Cheever Street	522-0751
88.3.31	Brian Cosgrove	56 Lochearne Street	524-2325
88.4.19	Rodger McEachern	151 Gateshead Cr. #43	662-1505

88.4.25	Audrey Johnson	36 Huxley Avenue North	545-5107
88.5.4	Pantelis Ilios	629 Upper Horning Road	575-7870
88.5.11	Farrukh Qureshi	128 Guildwood Drive	575-3840
88.6.8	Antonio Papalia	16 Railway Street	527-4835
88.6.24	Ijaz H. Syed	R.R. #2 Lowbanks	774-7761
88.8.7	Ronald Airth	63 Lilacside Drive	389-4133
88.9.6	Claudio Balice	326 Darlington Court	388-7674
88.9.19	Ghulam N. Butt	36 Birchcliffe Crescent	575-8124
88.10.20	Michael G. Ford	107 Victoria Avenue South	529-0892
88.11.4	Robert Maschewski	158 Ironwood Crescent	385-9104
88.11.10	George Hutchinson	201 Stewartdale	547-3067
88.11.16	Sandra Hathaway	136 Gage Avenue South	547-8889
88.12.28	Robert Van Voorst	49 Valery Crt	383-5130
88.12.30	Sudhir Verma	114 Adis Avenue	575-0446
89.1.10	Ronald VanKleef	121 Central Ave., Grimsby	945-0732
89.1.10	Robert Esselment	281 Cranbrook Drive	388-5552
89.1.11	Brent J. Dawson	116 Catharine St. S.	529-9578
89.1.13	Ray Maurice	72 Stone Church Rd. W. Upper James PO 20271 L9C 7M8	577-7244
89.1.24	Jerry Zaraski	30 Clinton Street	545-2359
89.2.2	Wayne J. Sauchuk	36 Arno Street	318-6785
89.2.13	Larry P. E. Broadbent	56 Jameston Avenue	389-9062
89.4.5	Daniel Sullivan	76 Graham Avenue South	547-1449
89.4.24	Mary Button	210 Province Street North	544-7053
89.7.13	Josephine Rizzuto	8 Chateau Crt	388-3310
89.7.26	Peter Rihbany	28 Barton Street East	524-1268
89.8.3	Dimitrios Alkabakopoulos	39 Larkspur Cr. Ancaster	648-0377

89.8.8	Elizabeth Elkan	Jackson Sq.P.O. Box 57263 L8P 4X1	522-3539
90.06.15	William Perks	38 Valery Court	388-8665
90.08.31	Gail Rizzuto	8 Chateau Court	388-3310
91.02.20	Ronald Roberge	487 Knightsbridge, Ancaster	648-2183
91.03.26	Edward C. Beattie	16 Berko Avenue	545-5322
91.04.17	Tokunbo(Dave)Ogunlade	310 East 36th Street	574-3149
91.12.09	Raymond Miller	200 Bay Street S. #208	529-8476 541-5394
92.01/03	Jagtar Singh (Chahal) (DOB: Dec. 10, 1964)	151 Queen Street N. #1004	524-1853
92.01.16	Jagtar Singh (DOB: May 10, 1947)	201 Parkwood Crescent	383-3199
92.03.19	Kevin Morgan	260 East 11th Street	385-8062
92.07.07	James Monahan	1324 Monterey Ave. S. #204	545-7612

1992 December 8

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. That Alderman be appointed Chairman of the Committee of the Whole for a three (3) month term commencing January, 1993.
2. Approval of the following citizen appointments:

TERM OF OFFICE

**(A) HAMILTON CIVIC HOSPITALS
BOARD OF DIRECTORS**

- | | | |
|------|-------|------------------|
| i) | ..... | 1994 December 31 |
| ii) | ..... | 1996 December 31 |
| iii) | ..... | 1996 December 31 |

Hamilton Civic Hospitals Foundation Nominees

- | | | |
|-----|-------|------------------|
| iv) | ..... | 1996 December 31 |
| v) | ..... | 1996 December 31 |

(B) HAMILTON HYDRO ELECTRIC COMMISSION

- | | | |
|----|-------|-----------------|
| i) | | 1995 January 10 |
|----|-------|-----------------|

1992 December 8

(C) KEEP HAMILTON CLEAN COMMITTEE

- | | | |
|------|-------|------------------|
| i) | ..... | 1993 December 31 |
| ii) | ..... | 1995 December 31 |
| iii) | ..... | 1995 December 31 |
| iv) | ..... | 1995 December 31 |
| v) | ..... | 1995 December 31 |

(D) PROPERTY STANDARDS COMMITTEE

- | | | |
|-----|-------|------------------|
| i) | ..... | 1994 November 30 |
| ii) | ..... | 1995 November 30 |

(E) LAND DIVISION COMMITTEE

- | | | |
|----|-------|------------------|
| i) | | 1995 November 30 |
|----|-------|------------------|

(F) HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

- | | | |
|------|-------|------------------|
| i) | ..... | 1995 December 31 |
| ii) | ..... | 1995 December 31 |
| iii) | ..... | 1995 December 31 |

Respectfully Submitted.

Mayor R. M. Morrow
Chairman, Nominating Committee

J. J. Schatz, Secretary
1992 December 8

URBAN MUNICIPAL

1992 12 8

BILLS

GOV
MENT DOCUMENTS

CITY COUNCIL

1992 December 8

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE BLOCK FX, PLAN M-129 AND
PART 3, PLAN 62R-12372 INTO GONDOLA STREET**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Gondola Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Gondola Street.

Part of Parcel Reserves -1
Section M-129

All of Block "FX", Plan M-129, being part of the Parcel.

and

Part of Parcel 18-1
Section Bar.7

Part of Lot 18, Concession 7, in the former geographic Township of Barton, designated as Part 3 on Plan 62R-12372, being part of the Parcel.

all in the City of Hamilton
Regional Municipality of Hamilton

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PART 7, PLAN 62R-12372 AND
PART 1, PLAN 62R-12403 INTO DUNCAIRN CRESCENT**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Duncairn Crescent by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Duncairn Crescent.

Part of Parcel 18-1
Section Bar.7

Being part of Lot 18, Concession 7, in the former geographic Township of Barton, designated as Part 7, Plan 62R-12372, being part of the Parcel.

and

Part of Parcel 1' Reserves-1
Section M-129

Being part of Block "EX", Plan M-129, designated as Part 1, Plan 62R-12403, part of the Parcel.

all in the City of Hamilton
Regional Municipality of Hamilton

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PARTS 2,4,6,8,10 AND 12
PLAN 62R-12340 INTO FIELDWAY DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Fieldway Drive.

Parts of Lot 11, Concession 6, in the former Township of Barton, designated as Parts 2,4,6,8,10 and 12, Plan 62R-12340.

in the City of Hamilton

Regional Municipality of Hamilton

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PART 1, PLAN 62R-
INTO FIELDWAY DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Fieldway Drive.

Part of Lot 9, Concession 8, in the former Township of Barton, designated as Part 1, Plan 62R- .

in the City of Hamilton

Regional Municipality of Hamilton

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE BLOCK 21, PLAN 62M-694
INTO CARTIER CRESCENT**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Cartier Crescent by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Cartier Crescent.

Parcel Reserves -1
Section 62M-694

Being all of Block 21, Plan 62M-694

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being all of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PARTS 7 AND 10, PLAN 62R-11096
INTO ACADIA DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Lots 6 and 7, Registered Plan No. 909, designated as Parts 7 and 10, Plan 62R-11096 (respectively).

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PART 1, PLAN 62R-12288
INTO MARKET STREET**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Market Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Market Street.

Part of Lot 1, Block 2, Registered Plan 1435, designated as Part 1, Plan 62R-12288.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PARTS 20 AND 21, PLAN 62R-10529
INTO ACADIA DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Lot 9, Concession 8, in the former Township of Barton, designated as Parts 20 and 21, Plan 62R-10529.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE PART 6, PLAN 62R-11696
INTO BERKINDALE DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Berkindale Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Berkindale Drive.

Part of Lot 23, Concession 2, in the former Township of Saltfleet, designated as Part 6, Plan 62R-11696.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-

**TO INCORPORATE BLOCK C, PLAN M-206
INTO SYLVESTER STREET**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Sylvester Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Sylvester Street.

Part of Parcel Reserves -1
Section M-206

Being all of Block "C", Plan M-206

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1992.

City Clerk

Mayor

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25A (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

a) by adding **Section 14 (One Hour Limit)** the following items, namely:-

"West 1st	Both	Fennell to Monarch
West 4th	Both	South Bend to Richwill
Collier	Both	End to End
West 1st	Both	Wembley to McElroy
Cloverhill	Both	Brantdale to South end".

b) by adding to **Section 27 (One Hour Limit)** the following items, namely:-

"West 2nd	Both	McElroy to South Bend
West 1st	Both	McElroy to South Bend".

c) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Dromore	Both	Paisley to Marion".
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d) by adding to **Section 20 (Two Hour Limit)** the following item, namely:-

"Broadway	Both	Royal to Whitney
Inglewood	South	commencing at a point 239 feet east of the west curb line of Bay to the easterly end

and by deleting therefrom the following item, namely:-

"Inglewood	South	west curb line of Gloucester to easterly end".
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2. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Acadia	West	Butler to 152 feet north
Glen Armes	West	Gemini to northerly end
Leland	West	Whitney to Merna".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"West 1st	West	East
Wembley to McElroy		
Brigadoon	West and North	East and South".
Garrow to Fiona		

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Weir	East	commencing at a point 234 feet south of Britannia to a point 22 feet southerly therefrom	Anytime
Haddon	East	commencing at a point 25 feet north of Westwood to a point 22 feet northerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Ontario	West	commencing 56 feet south of Stinson to a point 24 feet southerly therefrom	Anytime".
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PASSED THIS DAY OF , A.D. 1992.

CITY CLERK

MAYOR

BY-LAW NO. 92 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Sanatorium	Eastbound and Westbound	West 32nd".
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and by adding thereto the following items, namely:-

"Idlewood	Eastbound and Westbound	High
Venetian	Westbound	Greencedar
Guildwood	Northbound and Southbound	Novoco
St. Olga	Southbound	Solidarnosc
King William	Eastbound	Hughson".

2. **Schedule 16 (No Left Turn At Certain Intersections)** is hereby amended by deleting therefrom the following item, namely:-

"King	Easterly	Dalewood	Anytime".
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3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Herkimer	South	120 feet	commencing at a point 117 feet west of Locke	7:00 a.m - 6:00 p.m. Monday to Saturday".
-----------	-------	----------	---	--

and by adding thereto the following items, namely:-

"Herkimer	South	184 feet	commencing at a point 117 feet west of Locke	7:00 a.m. - 6:00 p.m. Monday to Saturday
Greencedar	North	100 feet	commencing at a point 50 feet west of the west curb line of Greenguild	7:00 a.m. - 6:00 p.m. Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Cranbrook	West	40 feet	152 feet south of the south curb line of Greendale	8:00 a.m. - 4:00 p.m. Monday to Friday
Garside	West	18 feet	180 feet south of the south curb line of Dunsmure	Anytime
Garside	East	30 feet	54 feet north of the north curb line of Bartonville	Anytime".

and by deleting therefrom the following item, namely:-

"Howe North 25 feet 62 feet west of East 17th Anytime".

PASSED THIS DAY OF , A.D. 1992.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 860 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District referred to in section 1 shall be subject to the special requirement that,

- (a) upon the applicant/owner applying for and receiving approval of a Site Plan,

the 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may proceed in accordance with the "C" District provisions, subject to the special requirements referred to in section 3 of this by-law.

3. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of By-law No. 6593, the following uses shall be permitted:
 - (i) a dental office only on the first floor of the existing building and having a gross floor area of not more than 95.0 m² (1000 S.F.);

- (ii) one dwelling unit only on the second floor of the existing building;
- (iii) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
- (b) a landscaped planting strip not less than 3.0 m in width shall be provided and maintained along the westerly lot line of Block 2 and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly lot line of Block 2;
- (c) a landscaped planting strip not less than 1.5 m in width shall be provided and maintained along the southerly lot lines of Blocks 1 and 2, and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot lines of Blocks 1 and 2;
- (d) a landscaped planting strip not less than 1.5 m in width shall be provided and maintained along the easterly lot line of Block 1, except for any area used for vehicular access;
- (e) notwithstanding Section 18A(1) of By-law No. 6593, not less than four (4) parking spaces shall be provided and maintained on the subject lands;
- (f) Section 18A(14) of By-law No. 6593 shall not apply.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1294.

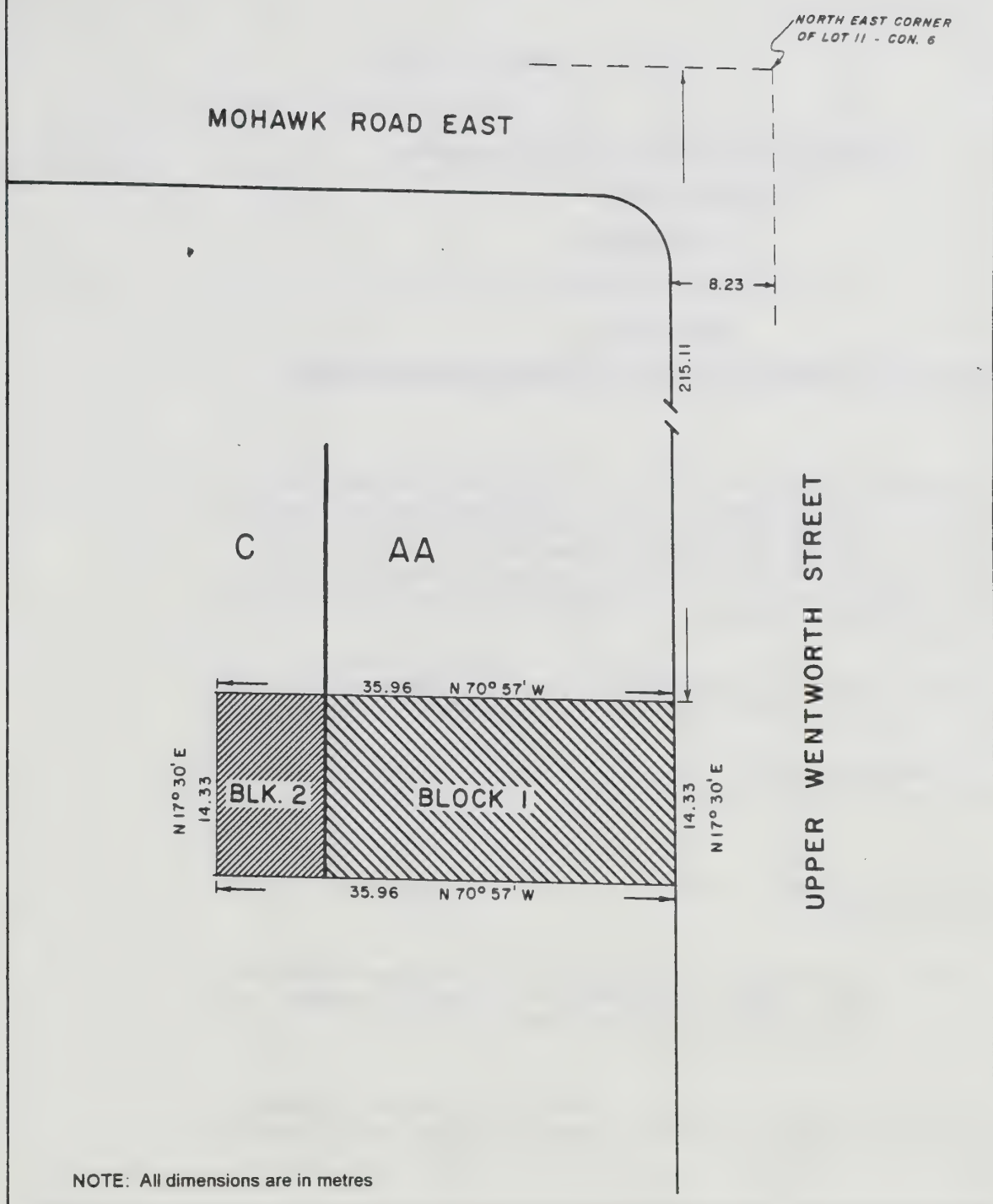
6. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1294.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor



This is Schedule "A" to By-Law No. 92-.....
 Passed the day of, 1992.

Clerk

Mayor

City of Hamilton Schedule A

Map Forming Part of
 By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

<p>Legend</p> <p>Change in zoning from:</p> <p>"AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, modified.</p> <p>"C" (Urban Protected Residential, etc.) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District, modified.</p>		
<p>BLOCK 1</p> <p>BLOCK 2</p>	<p>North</p>	<p>Scale</p> <p>NOT TO SCALE</p>
<p>Date</p> <p>NOVEMBER 1992</p>		<p>Reference File No.</p> <p>ZA 92 - 22</p>
<p>Drawn By</p> <p>Z. K.</p>		

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 860 UPPER WENTWORTH STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

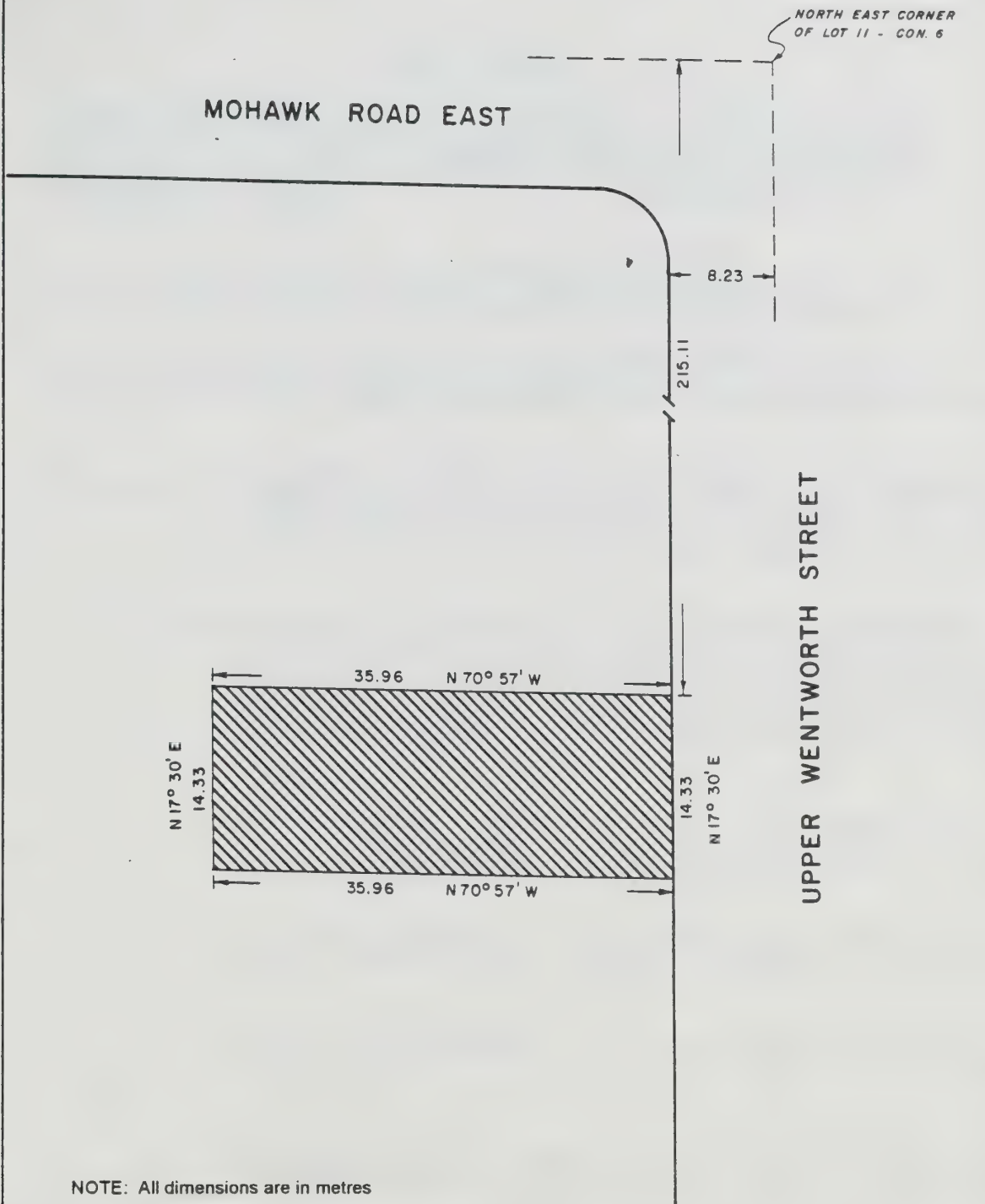
144. Land located at Municipal No. 860 Upper Wentworth Street, shown on Appendix 144 hereto annexed and forming part of this by-law.

2. Appendix 144 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of A.D. 1992.

City Clerk

Mayor



This is Schedule "A" to By-Law No. 92-
Passed the day of , 1992.

.....
Clerk

.....
Mayor

City of Hamilton

Appendix 144
to By-Law No.79-275

as Amended by
By-Law No.87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands Designated Under this By-Law
as an area of Site Plan Control pursuant
to Section 40 of the Planning Act.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1992

Reference File No.
ZA92 - 22

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 90-286

Respecting:

LAND LOCATED AT MUNICIPAL NO. 79 RYMAL ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-286 on the 9th day of October 1990 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located at Municipal No. 79 Rymal Road West, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board in its Disposition and Order dated the 30th day of October 1992 directed that By-law No. 90-286 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of Section 2 of By-law No. 90-286, passed on the 9th day of October 1990, is amended by deleting the words "than 1.2 m and not more" in the second line thereof.

2. Section 2 of the said by-law is further amended by adding the following clauses thereto:

- "(b) a minimum 3.0 m wide landscaped strip shall be provided and maintained along the westerly lot line, except for any area used for vehicular access; and
- (c) a landscaped planting strip not less than 1.2 m in width and a visual barrier of not less than 2.0 m in height shall be provided and maintained along the easterly property line where it adjoins a residential district except that no visual barrier shall be situated less than 3.0 m in distance from the front lot line."

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2 of this by-law and section 2 of By-law No. 90-286.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1169a.

4. Sheets No. W-9D and W-9E of the District Maps are amended by marking the lands referred to in section 1 of By-law No. 90-286, S-1169a.

5. In all other respects, By-law No. 90-286 is hereby confirmed, unchanged.

PASSED this day of A.D. 1992.

City Clerk

Mayor

(1990) 7 R.P.D.C. 6, March 27
Ontario Municipal Board
Disposition and Order dated
October 30, 1992
Walter Vucetich, Owner
ZA-90-11

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593
and To Repeal By-laws No. 79-152 and 84-228

Respecting:

LAND LOCATED AT MUNICIPAL NO. 217 CANNON STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 79-152 on the 8th day of May 1979 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the land located at the north-west corner of Cannon Street East and Wellington Street North, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 3rd day of July 1979, (File No. R 792231);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-228 on the 30th day of October 1984 to amend By-law No. 79-152, which amending by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, Chapter 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 12 of the 19th Report of the Planning and Development Committee at its meeting held on the 10th day of November 1992, recommended that Zoning By-law No. 6593 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 79-152 and By-law No. 84-228 be repealed in their entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-152 and By-law No. 84-228 are hereby repealed in their entirety.
2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1) of By-law No. 6593, the following commercial uses shall be permitted:

- (i) a coin-operated manual car wash having not more than four (4) bays; and
- (ii) a mechanical car wash;
- (b) notwithstanding Section 18.(3)(ivc)(a) of By-law No. 6593, every building and structure shall be distant at least 4.5 m (14.76 feet) from the boundary of a residential district;
- (c) a landscaped planting strip not less than 1.5 m in width shall be provided and maintained along the southerly and easterly lot lines, except for any area used for vehicular access;
- (d) a landscaped planting strip not less than 3.0 m in width shall be provided and maintained along the northerly lot line;
- (e) a visual/acoustical barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the northerly lot line;
- (f) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1292.

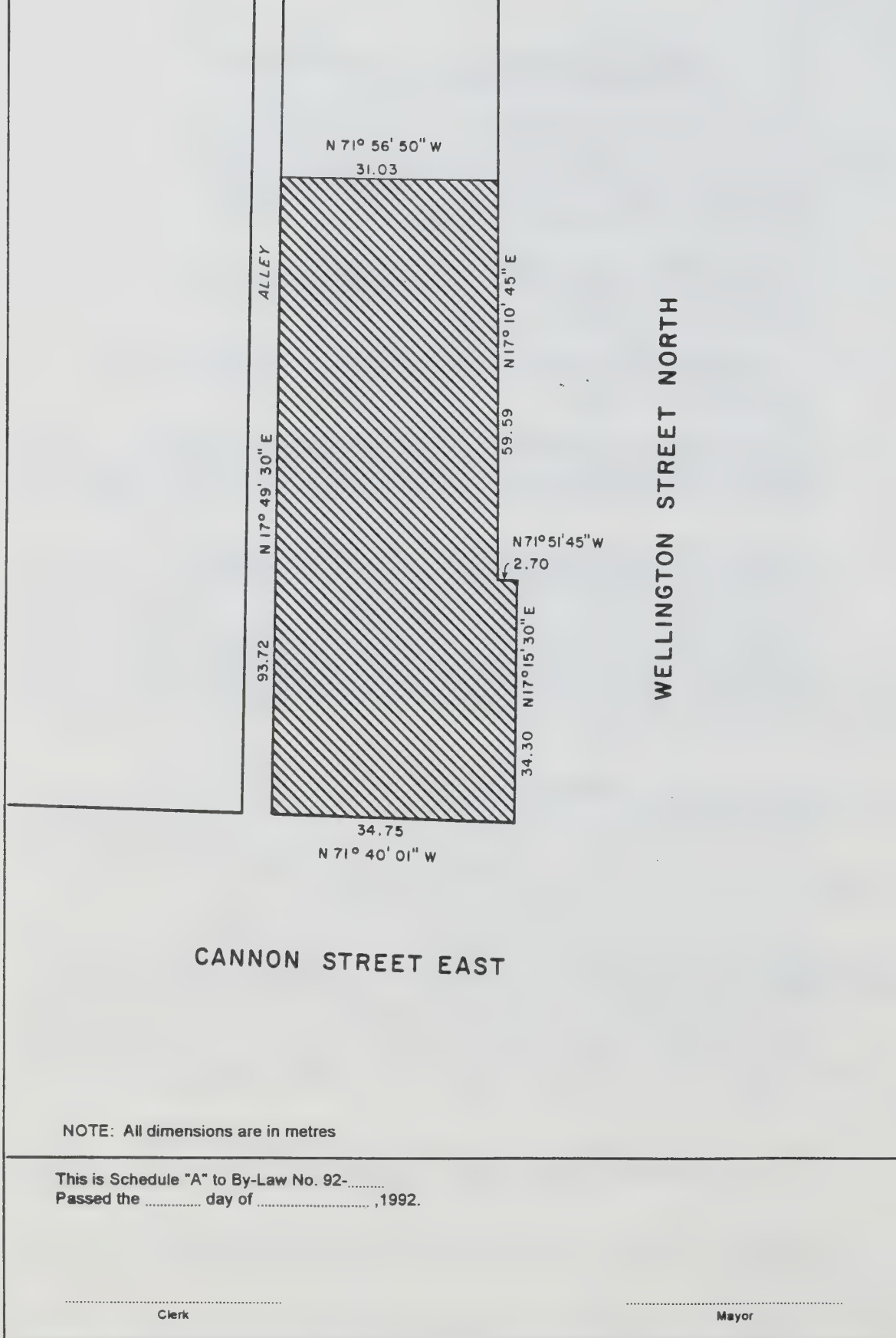
5. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1292.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1992.

City Clerk

Mayor



City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-.....

North



Scale
NOT TO SCALE

Date
NOVEMBER 1992

Reference File No.
ZA 92-36

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1123, 1131
AND 1135 STONE CHURCH ROAD EAST**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17E(1)(c) of By-law No. 6593, a restaurant and caterer including banquet facilities shall be permitted;
- (b) notwithstanding Section 17E(1)(e) of By-law No. 6593, an accessory dwelling unit which is incidental to the permitted restaurant use and located within the same building, shall be permitted;
- (c) Section 4.(3)(a) of By-law No. 6593, shall not apply to the two existing single-family dwellings, known municipally as Nos. 1131 and 1135 Stone Church Road East.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1293.

4. Sheet No. E-59C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1293.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

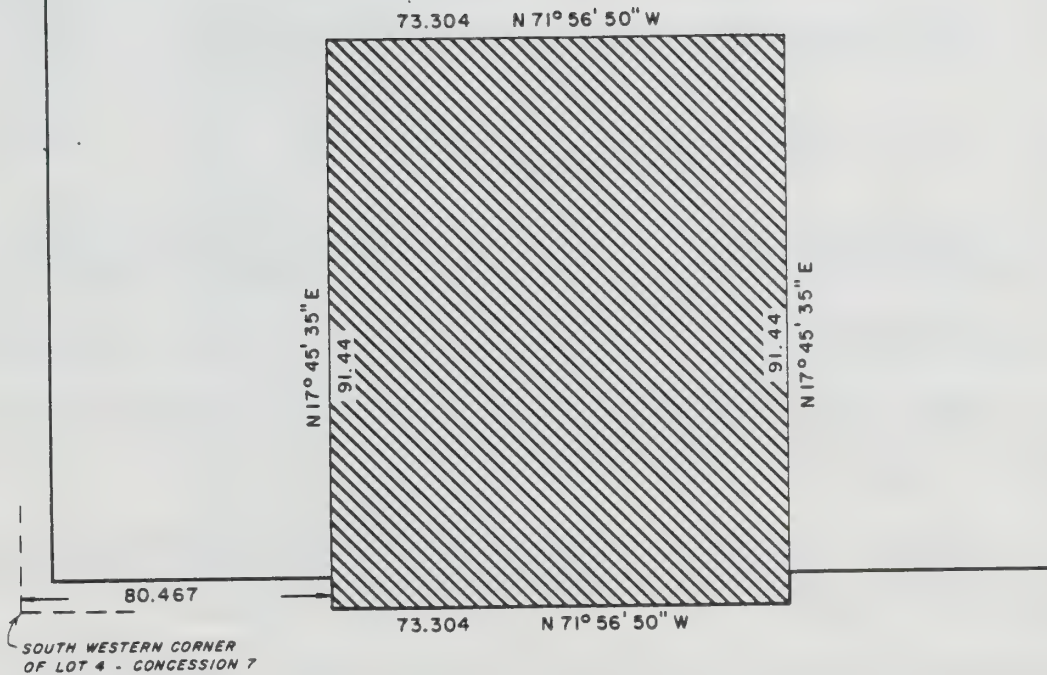
PASSED this day of A.D. 1992.

City Clerk

Mayor

(1992) 19 R.P.D.C. 13, November 10
Mr. Chin Shee Shing and
Mrs. Chin Nor Fai, Owners
Amended ZA-92-17

UPPER OTTAWA STREET



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-.....
Passed the day of, 1992.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-.....

North



Scale
NOT TO SCALE

Date
NOVEMBER 1992

Reference File No.
ZA 92-17

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO.

TO CONSOLIDATE:

THE HAMILTON FARMERS' MARKET BY-LAW No. 81-180
and amendments thereto enacted between 1981 and 1992
into one by-law, AND TO
incorporate the Hamilton Farmers' Market 1993 Fees Schedule

WHEREAS of The City of Hamilton Act, 1964 provides for The Corporation of the City of Hamilton passing by-laws respecting markets;

AND WHEREAS subsection 72 of section 210 of The Municipal Act, R.S.O. 1990, Chap. M.45 authorizes a municipality to enact by-laws for establishing, maintaining and regulating markets;

AND WHEREAS the market established under By-law No. 81-180 has been moved to a new location in Lloyd D. Jackson Square;

AND WHEREAS it is desirable to enact a by-law in accordance with The City of Hamilton Act, S.O. 1964, c. 130 and The Municipal Act, R.S.O. 1990, Chap. M.45, s. 210, ss. 72

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Interpretation

1. In this by-law:

(a) "City Corporation" means The Corporation of the City of Hamilton;

(b) "City Council" means the Council of The Corporation of City of Hamilton;

(c) "committee" means the Legislation Committee of the City Council.

(d) "dealer" means a person who does not own or lease and operate a farm, and who does not sell the produce grown thereon from his stand on the market for any part of the year;

(e) "Hamilton Farmers' Market" or "Market" means the public market of the City Corporation located in Phase 7 of the Lloyd D. Jackson Square;

(f) "holiday" means and includes every

- (i) Sunday,
- (ii) New Year's Day,
- (iii) Good Friday,
- (iv) Easter Monday,
- (v) Victoria Day,
- (vi) Dominion Day,
- (vii) day appointed as a Civic Holiday by the City Council,
- (viii) Labour Day,
- (ix) Christmas Day,
- (x) Boxing Day,
- (xi) birthday, or day fixed by Proclamation of the Governor General, for the celebration of the birthday of the reigning sovereign,
- (xii) day appointed by Proclamation of the Governor General or the Lieutenant Governor in Council as a public holiday or for a general fast or thanksgiving,
- (xiii) the following Monday, where any holiday falls on the immediately preceding Sunday;

(g) "market day" means any Tuesday, Thursday or Saturday which is not a holiday and, when any Tuesday, Thursday or Saturday is a holiday, then the day before it, and includes any other day which may from time to time be designated by the City Council as a market day;

(h) "market hours" means the hours during which the market premises shall be open on a market day, as provided in section 5a;

(i) "Market Manager" means the person appointed by the City Council to manage the market;

(j) "material" includes tables, chairs, furniture, equipment, packaging material, storage cupboards, garbage or any other things connected with the use of the stand;

(ja) "non-market day" means a day other than a market day;

(k) "producer" means a person who owns or leases and operates a farm, and sells the produce grown thereon from his stand on the market for any part of the year;

(l) "stallholder" means a person to whom the Market Manager has assigned a stand;

(m) "Stand" means:

- (i) the area of the market assigned by the Market

Manager to a stallholder for the sale of his or her produce and food;

(ii) a refrigeration unit and any other area that may be assigned by the Market Manager, or

(iii) the area of the market assigned by the Market Manager for a coffee shop.

2. The "Hamilton Farmers Market" is hereby established.

Duties of Market Manager

3.(1) Except with respect to the provisions relating to the fitness or otherwise of any produce or food for human consumption or any other matter falling within the jurisdiction of the Medical Officer of Health, the Market Manager or any person acting on his behalf and with his authority shall administer and supervise the operation of the market and the enforcement of this by-law, including the following duties:

1. Assign stands to stallholders by number, in accordance with the chart hereto annexed as schedule "A".
2. Provide for the closing of the market at closing time.
3. Ensure that the market is cleared and cleaned to his satisfaction within a reasonable time after closing time.
4. Collect fees prescribed by this by-law.
5. Provide for regular payment of the fees collected to the City Treasurer.
6. Provide the City Treasurer with a proper accounting of all receipts and disbursements.
7. Execute the contract in Form 1, hereto annexed.
8. Act under instructions from the Deputy City Clerk from time to time.
9. Act under instructions from the Chief Administrative Officer as transmitted by the Deputy City Clerk.

Medical Officer of Health

4.(1) No person shall sell, offer for sale or expose for sale any food on the market without prior approval of the Medical Officer of Health of the Hamilton-Wentworth Regional Health Unit.

(2) The Medical Officer of Health may at any time withdraw his approval where the sale, offer for sale or exposure for sale of any food sold at the market is or may become injurious or dangerous to health.

(3) Where the Medical Officer of Health withdraws his approval, no person shall sell, offer for sale or expose for sale any food on the market.

Who May Sell at the Market

5.(1) No person shall sell, offer for sale or expose for sale

anything on or at the market, who is not the producer thereof or a person regularly employed in its production, or who is not a dealer.

(2) Except as provided in subsection 4 of section 6, no person shall sell, offer for sale or expose for sale anything on or at the market who has not previously entered into a contract in Form 1, other than a person who has been assigned a stand on a daily basis.

(3) For the purpose of subsection 1, a producer includes:

(a) a bona fide producer who, on request, provides evidence in the form of his own statutory declaration that he owns or leases and operates a farm and sells the produce grown thereon from his stand on the market for any part of the year; and

(b) a licensed, registered charitable or religious organization at the discretion of the Market Manager.

5a.(1) The market hours for customers shall be from 7:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day.

(2) The market hours for stallholders shall be as follows:

1. Except as provided in paragraphs 2 and 3, from 4:00 o'clock in the forenoon to 6:00 o'clock in the afternoon of the same day.

2. From 12:00 o'clock midnight on market days immediately preceding a statutory holiday to 6:00 o'clock in the afternoon of the same day.

3. During peak season, for such periods of time as are designated by the Market Manager.

Application for a Stand

6.(1) Every person who is a producer or dealer may apply for a stand.

(2) Every application for a stand shall be made to the market manager.

(3) Except as provided in subsection 4, every person shall, before he is assigned a stand by the Market Manager, enter into a contract in Form 1.

(4) The applicant for the coffee shop stand who is awarded the stand by the City Council, shall enter into a contract with the City Corporation upon such terms and conditions as the City Council may determine including:

- (a) the duration of the contract;
- (b) amount of the fees to be paid.

(5) Except as provided in subsection 4, every contract shall be for a period of twelve months commencing on January 1st and ending on December 31st.

(6) No person shall be assigned more than three stands.

Fees

7. Except as provided in subsection 4 of section 6, every stallholder shall pay a fee in accordance with schedule "B" hereto annexed.

Partnerships

7a. Where a stall is proposed to be held or is held jointly or in partnership by a stallholder, the stallholder shall upon written or oral request of the Market Manager complete Form 2 and deliver the completed form satisfactory to the Market Manager within one week of the request.

Vending from Stands

8.(1) Every person with whom a contract has been entered into under this section shall occupy only the stand mentioned in the contract.

(2) No person with whom a contract has been entered into shall, at any time and for any purpose, occupy any area that is not the stand mentioned in the contract, or any other space in the market.

9. No stallholder shall sell, offer for sale or expose for sale anything in the market except from a stand assigned to him by the Market Manager and for which he has paid the required fee.

Precedence for Occupancy of Stands

10.(1) Dealers and producers shall be assigned by the Market Manager to stands as available.

(2) Every dealer or producer who enters into a contract in Form 1 to pay the rental of a particular stand for the whole of the period from January 1st to December 31st, and pays such rental monthly in advance, shall be entitled on each market day during the currency of the contract to the stand identified in the contract, provided he occupies it before 9:00 o'clock in the forenoon.

(3) Any rented stand which a dealer or producer does not occupy for a minimum of three months in any calendar year shall be posted in the office of the Market Manager for a period of seven days as a vacant stand the following year, and will be made available to any

dealer or producer on a seniority basis.

What May be Sold on the Market

11(a). No person shall sell, offer for sale or expose for sale anything in the market except the following:

1. Honey, flowers, fruit, vegetables, citrus fruits, top quality fresh eggs and home-baked products.
2. Dressed poultry, dressed rabbits, home-processed meat products, fresh fish, fresh meat and dairy products that have been properly processed and refrigerated.
3. Produce that constitutes articles of daily consumption in Ontario produced by any farmer, dairy farmer, market gardener, florist or beekeeper.

11(b). Notwithstanding subsection (a), a stallholder may sell, offer for sale or expose for sale foods for pet consumption, provided that the pet food is:

1. displayed, marketed and sold in dry loose, bulk form only;
2. clearly and conspicuously marked as pet food;
3. displayed, marketed and sold as a product incidental to the sale of goods for human consumption.

12.(1) Notwithstanding any other provision of this by-law, there may be sold, offered for sale or exposed for sale at the coffee shop stand foods and other goods and products usually available at a coffee shop take-out service including:

- (a) coffee, tea, soda pop and other like beverages;
- (b) donuts, cake, pie and other like baked goods;
- (c) candy, ice cream and other like confections;
- (d) sandwiches and other like prepared goods; and
- (e) cigarettes, pipes, pipe tobacco and other like tobacco accessory products.

(2) No foods or other goods and produce referred to in subsection 1, except home-baked products, shall be sold, offered for sale or exposed for sale at any other stand other than the Coffee Shop, except by a licensed, registered, charitable or religious organization, upon the approval of the Market Manager.

Rules Governing Sale of Certain Produce

13. No person shall sell, offer for sale or expose for sale on the market:

- (a) any fresh meat except from a unit equipped with suitable refrigeration and all other necessary facilities; or

(b) any fresh fish except from a unit equipped with suitable refrigeration and all other necessary facilities; or

(c) any poultry except from a unit equipped with suitable refrigeration and all other necessary facilities where prior to sale, offer for sale or exposure for sale, the poultry was dressed promptly after being killed and properly bled, dressed, washed in clean water, refrigerated and then kept continuously at a temperature not over 40 degrees Fahrenheit; or

(d) any rabbit except from a unit equipped with suitable refrigeration and all other necessary facilities where prior to sale, offer for sale or exposure for sale, the rabbit was dressed promptly after being killed and properly bled, dressed, washed in clean water, refrigerated and properly covered with suitable wrapping material and then kept continuously at a temperature not over 40 degrees Fahrenheit; or

(e) cheddar cheese or any other cheese except from a unit equipped with suitable refrigeration and all other necessary facilities, but only where:

(i) the cheddar cheese has been cured for at least sixty days; or

(ii) the other cheese has been either pasteurized or made from pasteurized milk; or

(f) perishable pastry goods except from a unit equipped with suitable refrigeration and all other necessary facilities, but only where the goods have been properly covered and refrigerated promptly after baking and kept continuously at a temperature not over 40 degrees Fahrenheit; or

(g) dairy products except from a unit equipped with suitable refrigeration and all other necessary facilities; or

(h) home-baked bread or other home-baked goods except in a suitable bag or otherwise suitably covered.

Duties of Stallholders

14. Every person who occupies a stand on market day shall comply with the following regulations:

1. Ensure that all persons selling, offering for sale or exposing for sale produce or food are properly attired to the satisfaction of the Market Manager.

2. Not solicit customers by shouting or by the use of sound.
3. Not permit his employees or any other person to solicit customers by shouting or by the use of sound.
4. Conduct all activities in and from his stand in a peaceable and orderly manner to the satisfaction of the Market Manager.
5. Keep and maintain a sign on display above the produce during market hours, readily visible and easily read by customers, bearing his name and address in letters and numbers at least three inches in height.
6. Not sell, offer for sale or expose for sale anything by auction.
7. Not distribute handbills, tracts or any other printed matter of any kind.
8. Not unload any produce, food or material for a stand after 7:00 o'clock in the forenoon, except at a loading dock.
9. Vacate the market and leave the stand clean and clear to the satisfaction of the market manager by not later than 6:30 o'clock in the afternoon.
10. Remove all his produce and food from the market by not later than 7:00 o'clock in the afternoon.
11. Remove all material from the market to the satisfaction of the market manager by not later than 6:30 o'clock in the afternoon.
12. Keep and maintain the loading dock free and clear of all his produce, food and material.
13. Not permit the stand, produce or other material to extend outside of the perimeter of the assigned area.
14. Remove any produce, food or any other material immediately upon request of the Market Manager.
15. Not use or provide electrical facilities additional to the electrical facilities provided in the market.
16. Not use any electrical equipment that is in an unsafe condition and that does not comply with the requirements of Ontario Hydro.
17. Not attach a hose or any other conduit to the water taps provided in the market.
18. Not enter into any electrical or mechanical rooms.

19. Pay the full cost of repairs of any damage resulting from his use of the market.

20. Except a stallholder occupying the Coffee Shop, not cook or heat or apply heat to any food or any other goods or produce in the market.

Duties of Stallholders and Other Persons

15. Every stallholder and every other person shall comply with the following regulations:

1. Not obstruct any aisle, passageway, lane, manoeuvring space, ramp, access driveway or exit, except as provided in paragraph 13.

2. Not obstruct access to fire hose cabinets and exit stairwells.

3. Remove all obstructions immediately upon the request of the Market Manager.

4. Not load or unload other than on the loading docks and any other authorized areas.

5. Not operate the freight elevator, overhead doors or any heating, ventilating or electrical systems in the market.

6. Not use the freight elevator except when accompanying produce, food or material to or from the stand.

7. Not remove security chains except when produce, food and material are removed from or returned to the loading dock.

8. Use overhead doors only in accordance with the procedures set out in written instructions provided to each stallholder by the Market Manager.

9. Not affix signs, placards, posters or any other material, in any way, to the building or any part thereof without prior approval of the Market Manager.

10. Not affix any object to the windows or window frames without prior approval of the Market Manager.

11. Obey all directional signs indicating one-way operation of the Truck Tunnel except when otherwise authorized and controlled by the Market Manager.

12. Not drive any vehicle at a rate greater than 5 kilometres per hour.

13. Not stop, park or leave any vehicle:

- (a) in the market; or
- (b) in the loading dock area; or
- (c) in the tunnel area;

except only for the purpose of and during loading or unloading.

14. Not operate the motor of the motor vehicle during loading or unloading.

15. Remove the key from the ignition lock during loading or unloading.

16. Not stop, park or leave any vehicle at or on the entrance or exit ramps outside of the market building.

17. Enter or leave in a vehicle only at authorized entrances and exits.

18. Not make any noise deemed to be unnecessary by the Market Manager or which may annoy or disturb other persons.

19. Not obstruct the Market Manager in the performance of his duties.

16.(1) Every producer shall sell, offer for sale or expose for sale at the stand assigned to him, only produce or food as a producer.

(2) Every dealer shall sell, offer for sale or expose for sale at the stand assigned to him, only produce or food as a dealer.

Duties of Person On Non-Market Days

16a. Every person shall comply with the following regulations on non-market days:

- 1. Not unload produce before 2:00 p.m. and after 5:00 p.m.; and
- 2. Unload only at the loading dock area.

Removal of Vehicles

17.(1) Where a vehicle is stopped, parked or left contrary to the provisions of this by-law:

- (a) the Market Manager; or
- (b) a police constable upon the oral request of the Market Manager;

may cause the vehicle to be taken to and placed or stored in a suitable place.

(2) All costs and charges for removing, care and storage of the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.

(3) The owner of the vehicle shall pay the costs of removing, care and storage of the vehicle.

Cancellation of Contract

18. (1) Where a stallholder fails to comply with any provision of this by-law, the committee may suspend the contract for a specified period of time or may terminate the contract.

(2) Where the contract is suspended, the stallholder is prohibited from occupying the stand during the period of suspension.

Penalties

19. Every person who contravenes a provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

Short Title

20. This by-law may be known and referred to as the Market By-law.

Enactment and Repeal

21. As of January 1, 1993,

(a) This by-law shall be in full force and effect;

(b) By-law 81-180 and its amending by-laws listed below are repealed:

Amending By-law Nos. 81-218, 81-267, 81-285,
81-338, 82-34, 82-59, 83-024, 84-277, 84-278, 86-37,
86-60, 86-339, 86-340, 87-60, 87-112, 87-324,
87-352, 88-196, 88-269, 89-372, 90-155, 90-356,
92-037.

(c) Every reference to By-law No. 81-180 and amendments thereto listed in paragraph 21(b) above, shall be a reference to this by-law.

PASSED this day of , 1992.

Mayor

City Clerk

FORM 1
[Section 6(3)]

HAMILTON FARMERS' MARKET CONTRACT

Commencing:

Ending:

I, (We) the undersigned

(Print Name(s))

hereby undertake and agree without reservation of any kind with The Corporation of the City of Hamilton for the privilege of occupying and using a stand(s) at the Hamilton Farmers' Market, as follows:

1. To pay a fee for the use of the stand(s) for a twelve month term from January 1st to December 31st unless terminated prior to December 31st as set out below, for:

(a)	Stand No.	Fee:
(b)	Stand No.	Fee:
(c)	Stand No.	Fee:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

3. If I (we) have not occupied my (our) stand(s) by 9:00 o'clock a.m. on any market day, my (our) right to occupy and use my (our) stand(s) is forfeited for that day only.

4. This contract entitles me (us) only to the use of the stand(s) referred to in this contract.

5. To give the Market Manager thirty (30) days written notice in the event that I (we) propose to terminate my (our) use of my (our) assigned stand or stands.

6. (1) The refrigeration units whose location and size are described in Schedule "A" to this contract form part of the assigned stand(s).

(2) I (We) will pay and be responsible for all repairs and maintenance costs of the refrigeration units and that Fox Refrigeration Inc. will make all such repairs and provide all such maintenance as are necessary in the opinion of the Market Manager to keep and maintain the refrigeration units in good working order.

- 2 -

7. That The Corporation of the City of Hamilton shall have the right at any time and from time to time to assign to me (us) a stand(s) in place of the stand(s) referred to above and to increase or decrease the term fee(s) in accordance with the fee(s) for the substitute stand(s) and upon assignment to vacate the stand(s) occupied by me (us) at such time as may be specified to me (us) by the Market Manager.
8. That any stand(s) assigned to me (us) is (are) owned and in possession of the City of Hamilton at all times and I (we) have been given the privilege only of occupying or using the stand(s).
9. I (We) will observe and comply with all public health laws and food laws of Ontario and Canada and with all by-laws, regulations, notices, orders and demands of the City.
10. That I (we) will remove and restore all changes to the stand(s) to its (their) original condition at the time the stand(s) was (were) assigned to me (us) at my (our) sole cost and expense and at no cost or expense to the City.
11. I (We) shall and do hereby indemnify and save harmless The Corporation of the City of Hamilton from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer or be put to by reason of any damage to property or injury or death to persons as a result of the privilege herein allowed to me (us).
12. That notwithstanding any other provision, this contract will not come into effect and no stand(s) shall be assigned to me (us) unless and until I (we) file proof of a public liability insurance policy in an amount not less than Three Million Dollars (\$3,000,000.00) satisfactory with the Market Manager.

DATED at Hamilton, Ontario this day of , 19 .

**

.....
Market Manager

.....
Signature in Full of Stallholder

**

.....
Address of Stallholder (Please Print)
(Street, City, Province, Postal Code)

**

.....
Telephone Number

** Each person whose name appears at the beginning of this contract, must sign and provide their address and telephone number.

SCHEDULE "B"

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees		
		Monthly	Daily	YRLY
1 to 8	(Refrigeration Units)	275.00	N/A	3300.
12 to 18	(Refrigeration Units)	275.00	N/A	3300.
22	(Refrigeration Units)	275.00	N/A	3300.
9,10,11	(Refrigeration Units)	230.00	N/A	2760.
19,20,21	(Refrigeration Units)	230.00	N/A	2760.
23 to 46	RAMP	160.00	26.00	1920.
47 to 62A	North Wall - Main Floor	160.00	26.00	1920.
63 to 70	West Wall - Main Floor	160.00	26.00	1920.
71 to 95	South Wall - Main Floor and Under Ramp	160.00	26.00	1920.
96 to 100	Loading Docks (from 7:30am to 4:00pm)	160.00	26.00	1920.
101 to 111	East Wall - Main Floor	160.00	26.00	1920.
112 to 143	Stands in Middle from East to West (North Side)	160.00	26.00	1920.
144 to 175	Stands in Middle from West to East (South Side)	160.00	26.00	1920.
30a,36a,37a,46a		89.00	12.00	1068.
70a,72a		67.00	12.00	804.
92		225.00	26.00	2700.
176	Coffee Shop	320.00	N/A	3840.

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No.'s</u>	<u>Dealers' Fees</u> <u>Per Annum</u>
1 to 176	\$ 91.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance..... \$ 7.00 per day

PART 4: FRIDAY MARKET FEES

8 FT. Refrigeration Unit	\$ 17.00 per day
12 FT. Refrigeration Unit	\$ 21.00 per day
Regular Stands	\$ 12.00 per day
Each Additional Stand	\$ 7.00 per day
Coffee Shop	\$ 23.00 per day
Daily Users' Fees	\$ 26.00 per day

FORM 2

(Section 7a)

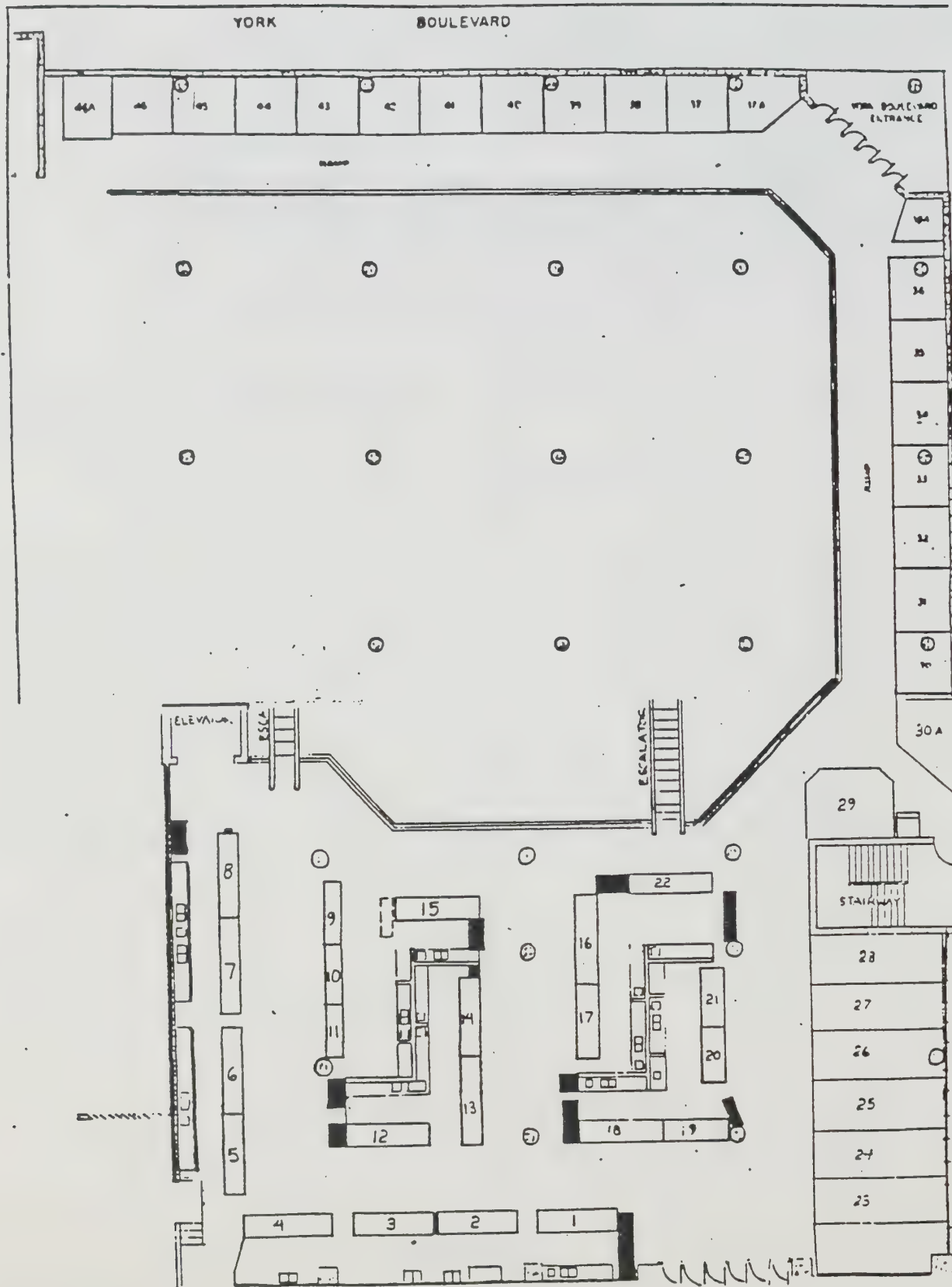
PARTNERSHIP INFORMATION

NO. OF STALL	FULL NAMES OF ALL PARTNERS	FULL ADDRESS OF EACH PARTNER AND TELEPHONE NO.	PERCENTAGE INTEREST IN PARTNERSHIP	DATE BECAME A PARTNER	DATE CEASED TO BE A PARTNER	BUSINESS NAME UNDER WHICH PARTNERSHIP CARRIED ON

SIGNATURES OF ALL PARTNERS

DATED at Hamilton, Ontario, this day of , 19 .

NOTE: Any changes occurring in the above information after completion of this form are to be reported by all partners within one week after such change to the Market Manager, who may require the completion of a new form, containing the revised information.



■ - ADDITIONAL INSTALLATIONS
 □ - PROPOSED INSTALLATIONS

MARKET MEZZANINE
AND RAMP

YORK BOULEVARD



BY-LAW NO. 92-

A By-law to Repeal By-law 92-095

WHEREAS The Corporation of the City of Hamilton enacted By-law 92-095 on March 31, 1992, respecting the installation of smoke alarms and emergency lighting in residential buildings.

AND WHEREAS the Province of Ontario enacted Ontario Regulation 627/92 on October 9, 1992 to amend Ontario Regulation 67/87 (The Fire Code) to require the installation of smoke alarms and emergency lighting in certain residential buildings.

AND WHEREAS subsection 4 of section 19 of the Fire Marshals Act, R.S.O. 1990, chapter F.17 states that the Fire Code supersedes all municipal by-laws respecting Fire Safety Standards for buildings and other structures and premises.

NOW THEREFORE the Corporation of the City of Hamilton enacts as follows:

1. By-law 92-095 is repealed.

PASSED this day of , A.D. 1992.

Mayor

City Clerk

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend Schedule 22 to Licensing By-law No. 79-323

Respecting:

TRANSIENT VENDORS

WHEREAS Schedule 22 to Licensing By-law No. 79-323, as replaced by By-law 92-221, provides for the licensing transient vendors;

AND WHEREAS it is desirable and expedient to clarify the definition of transient vendors as not including fund raising for charitable purposes conducted by charitable and non-profit organizations, which may not set off licence fees against business taxes;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the definition of "transient vendor" in subsection 1(b) of Schedule 22 of By-law No. 79-323 as amended, be repealed, and the following substituted therefor:

"(b) "transient vendor" means a person who offers goods, wares or merchandise for sale by auction, conducted by themselves or by a licensed auctioneer or otherwise, or who offers them for sale in any other manner, and includes,

(i) persons whose names have not been entered on the assessment roll, in respect of business assessment for the then current year; or

(ii) a transient trader; but

(iii) does not include a charitable organization or non-profit group or corporation selling goods, wares or merchandise, the proceeds from which are donated to, or used for charitable objects."

2. In all other respects Schedule 22 of By-law 79-323 as amended is confirmed without change.

PASSED this day of A.D. 1992.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend:

Municipal Tax Levy By-law No. 71-69

Respecting

OPTIONAL PRE-AUTHORIZED REALTY TAX PAYMENTS

WHEREAS By-law 92-248 was enacted on September 29, 1992 to amend By-law 71-69 respecting Optional Pre-authorized Realty Tax Payments.

AND WHEREAS City Council has authorized this further amendment of By-law 71-69;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 10(a) of By-law 71-69 is amended by adding the following subsection:

"(4)(a) Any taxpayer may enrol in the Monthly Automatic Payment Plan at any point in time during the year, by submitting the form required by the City Treasurer and by paying all outstanding tax arrears as well as the current tax instalment due. The monthly payment for the partial year shall be determined by dividing the balance of the current year's taxes by the number of months remaining until, and inclusive of, November. Where the current year's taxes have not been set, the current year's taxes shall be replaced by the value of the previous year's taxes less payments made against the current year's taxes. On the first day of December, the monthly automatic payment will be determined by subsection (4)."

PASSED this day of , 1992.

City Clerk

Mayor

(1992) 24 R.F.A.C. 28, December 8

BY-LAW NO. 92 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF DECEMBER A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of December A.D. 1992

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL AOS
A31
1992



1992 December 11

NOTICE OF SPECIAL MEETING

COMMITTEE OF THE WHOLE

Tuesday, 1992 December 15

2:00 o'clock p.m.

Room 233, City Hall

URBAN MUNICIPAL

GOV'T 'MENT DOCUMENTS

J. J. Schatz
City Clerk

The purpose of this meeting is to consider a report respecting user fees.

c.c.: Mr. J. Pavelka, Chief Administrative Officer
Aldermen's Secretaries/Receptionist
Media

- RECOMMENDATION -

DATE: December 11, 1992

REPORT TO: J. J. Schatz, City Clerk
Committee of the Whole

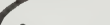
FROM: Allan Ross J. Pavelka
Treasurer C.A.O.

SUBJECT: 1993 CONSOLIDATED USER FEES

RECOMMENDATION:

- a) that the 1993 Consolidated User Fees for the City of Hamilton Departments as outlined on the attached Schedule No. 1, which would result in an increase in revenues due to existing fees as adjusted for inflationary and other increases in the amount of \$602,980 and further revenue increases as a result of the proposed new user fees in the amount of \$173,450 be approved;
- b) that the H.E.C.F.I. User Fee Listing (Schedule No. 2) be received;
- c) that the Hamilton Public Library Board User Fee Listing (Schedule No. 3) be received.

Allan Ross
Allan Ross, Treasurer


J. Pavelka, C.A.O.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendations - the resulting increase in revenue would affect the 1993 budget by a reduction of the mill rate by 0.7 %.

BACKGROUND:

During the preliminary 1993 Budget presentation to the Committee of the Whole September 25, 1992, the Management Team presented a corporate approach to address the forecasted tax increase of 8.8%. One of the approaches noted was the development of a consolidated user fee listing for all City departments. Both the existing fees and the proposed new fees were developed as a result of the specific departments reviewing their respective fees. An overview of the fee increase as additional background information will be provided prior to the Committee of the Whole meeting December 15, 1992.

SCHEDULE NO. 1

THE CORPORATION OF THE CITY OF HAMILTON

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET					
BUILDING DEPARTMENT											
ADMINISTRATION											
Administration Fees											
- Basic Demolition Fee	200.00	220.00	10%								
- Demolition Fee (non-serviced accessory)	50.00	100.00	100%								
Photocopies											
- First page	1.00	1.00	0%	No increases in fees for 1993.					\$500	-	CH44204-50001
- Each additional page	0.25	0.25	0%	"							
ENGINEERING, ZONING, COUNTER SERVICES											
Committee of Adjustment Fee											
- variances or permission - ancillary to 1 and 2 family unit uses	250.00	250.00	0%	Effective April 1,1992 (Council 3/10/92).							
- variances or permission (all other)	300.00	350.00	17%	Stepped schedule of fees. 1/1/93 - \$350.00 1/1/94 - \$400.00 (Council 3/10/92)					\$72,500	-	CH44043-50005
Combined Certification of Zoning Verification/Property Report											
- 48 hour service	80.00	80.00	0%	No increases in fees for 1993.					\$460,750	-	CH45003-50005
	120.00	120.00	0%	"							
Property Report											
- file searches requested by lawyers with respect to outstanding work orders etc.	40.00	40.00	0%	No increases in fees for 1993.				above			
Property Plan (microfiche)											
- making copies of drawings on file	10.00	10.00	0%	No increases in fees for 1993.					\$5,500	-	CH45004-50005
- for Single Family	40.00	40.00	0%	"					\$2,500		
- for others											
Monthly Report											
- per month	3.50	3.50	0%	No increases in fees for 1993.					\$500	-	CH45005-50005
- annually	35.00	35.00	0%	"							

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	INCREASE		Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$	Fee Inc.	
BUILDING DEPARTMENT									
ENGINEERING, ZONING, COUNTER SERVICES									
Certificate of Compliance									
- Single family dwelling	200.00	220.00	10%			\$2,500	\$1,750	(\$750)	- CH45006-50005
- 2, 3 or multiple dwelling	200.00	220.00	10%						
(plus \$30 for each add'l. dwelling)									
- Lodging house, 2nd level lodging house or nursing home (plus \$20 per each permitted resident)	200.00	220.00	10%						
- All other buildings	200.00	220.00	10%						
(plus \$10 per 1,000 sq. ft. in excess of the first 1,000 sq. ft.)									
Lot Grading - ensures compliance that grading is per regulation	125.00	125.00	0%	No increases in fees for 1993.	\$8,000	\$75,000	\$67,000		- CH45009-50005
- administration fee per lot									
Building Code Act Fines									
- maximum fine per individual	2,000.00	50,000.00	2400%	Effective May, 1993.	\$15,000	\$15,000	\$0		- CH45205-50005
- maximum fine per corporation	10,000.00	100,000.00	900%	"					
Basic Permit Fee:									
Construction up to \$10,000	50.00	150.00	15-200%	Average small permit valued at \$8,000.00 - fee increases from \$113.00 to \$150.00	\$1,800,000	\$1,510,000	(\$290,000)	\$160,000	CH45001-50005
Additional Permit Fee:									
\$10,000 - \$20 million	9.00 / \$1,000	9.00 / \$1,000	0%						
\$20 million - \$50 million	4.00 / \$1,000	9.00 / \$1,000	125%	Fee increases only for portion of project in excess of \$20 million.					
Over \$50 million	2.00 / \$1,000	9.00 / \$1,000	350%	Fee increases only for portion of project in excess of \$50 million.					
Building Permit fee for construction started prior to the issuance of a building permit:									
	Increase in permit fee	Increase in permit fee							
- work completed prior to permit issuance	10%	10%	0%	No increases in fees for 1993.					
(a) footings and foundations	25%	25%	0%	"					
(b) structural framing	50%	50%	0%	"					
(c) mechanical/electrical	75%	75%	0%	"					
(d) architectural	100%	100%	0%	"					
(e) final	100%	100%	0%	"					
(f) demolition or partial demolition	100%	100%	0%	"					

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.
					TOTAL BUDGET	TOTAL BUDGET	\$ Increase	Account #	
CLERKS DEPARTMENT									
ADMINISTRATION									
Photocopies – First page – Each additional page	1.00 0.25	1.00 0.25	0% 0%	No fee increases for 1993. "	-	-	-	-	
Subscription Service	Free	Actual Cost	100%	New fee.	}	-	-	\$15,360	CHXXX-12004
Use of City Hall by Outside Groups	Free	Actual Cost	100%	"	}				"
Assessment Searches	Free	50.00	100%	"	}				"
Signing of Affidavits	Free	10.00	100%	"	}				"
Letters re: Licence Verification	Free	20.00	100%	"	}		above		"
Fireworks Permits	Free	20.00	100%	"	}				"
Tag Day Permits	Free	20.00	100%	"	}				"
LLBO Municipal Clearance	Free	50.00	100%	"	}				"
Car Dealer Certificate	Free	20.00	100%	"	}				"
Cab Driver Exam Fee	Free	20.00	100%	"	}		above		"
Smoking Control Signs	Various	4.00	100%	New sign size for 1993 approved by City Council.	}				"
LICENCE SECTION						\$986,000	\$1,144,950	\$158,950	CH45XXX-12004
Adult Entertainment Parlour – Owner – Operator – Attendant – Dancer	3,812.00 1,271.00 191.00	4,000.00 1,340.00 200.00	5% 5% 5%	Rate increase of 5%. " "					" " "
Amusement – Places of – Amusement Machines	39.00 2,541.00	50.00 2,670.00	28% 5%	Rate increase of 5% (rounded). "					" "
– Amusement Rides – per day	19.00	50.00	163%	"					"
– Carnival – per duration of event (\$90/day for charities)	500.00	500.00	0%	Provincial limit.					"

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

1992	1993	% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase Due to Fee Inc.	Account #
				TOTAL BUDGET	TOTAL BUDGET			

CLERKS DEPARTMENT

LICENCE SECTION

- Circus - per day (outside) Maximum \$500
- per day (within a building)

- Arena

- Billiards - 1st table
- each add'l table

- Bingo Parlour - under 300 persons
- 300-599 persons
- 600-999 persons
- 1000 or more persons

- Bowling Alley
- 1st 2 beds
- each add'l bed

- Public Hall
- under 300 persons
- 300-599 persons
- 600-999 persons
- 1000 or more persons

- Roller Skating Rink

- Theatre

Animal Tags
- spayed/neutered
- Seniors/disabled rate
- not spayed/neutered
- Seniors/disabled rate

Auctioneer

Bakshop

Barber / Hairdresser

included above

included above

included above

CH45XXX-12004

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DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			1992	1993			
					TOTAL BUDGET	TOTAL BUDGET			
CLERKS DEPARTMENT									
LICENCE SECTION									
Bazaar	10.00	10.00	0%	Provincial limit.					CH45XXX-12004
- Per Game or Wheel - Monte Carlo	3.00	3.00	0%	"				included above	
Bill Distributor	29.00	50.00	72%						
Bill Poster	635.00	670.00	6%	Rate increase of 5% (rounded).					
Body Rub Parlour	6,350.00	6,670.00	5%	"					
- Owner	254.00	270.00	6%	"					
- Operator	254.00	270.00	6%	"					
- Attendant				"					
Building Exterior Cleaners - Sandblasters	116.00	130.00	12%						
Butcher	37.00	50.00	35%	"					
Cab Broker	380.00	400.00	5%	"					
- 1st issue of licence	254.00	270.00	6%	"					
- each yearly renewal				"					
Cab Driver	28.00	50.00	79%						
- photo every 3 years	10.00	10.00	0%					included above	
- replacement photo	10.00	10.00	0%						
Cab Owner (private)	3,308.00	3,480.00	5%	Rate increase of 5% (rounded).					
- new plate	193.00	210.00	9%	"					
- each yearly renewal	635.00	670.00	6%	"					
- transfer of plate				"					
Wheelchair Accessible Integrated Taxicab Owner	263.00	5.00	-98%	Reduced to encourage this type of service.					
- each yearly renewal	184.00	5.00	-97%	Approved by Council Dec.8/92.					
Cab Owner (public)	579.00	610.00	5%	Rate increase of 5% (rounded).					
- new plate	318.00	340.00	7%	"					
- each yearly renewal	635.00	670.00	6%	"					
- transfer of plate				"					
Leasing Agreement	56.00	60.00	7%	"					
- one car	193.00	210.00	9%	"				included above	
-second car				"					
Priority List-Initial application & renewal entitlement - each	56.00	60.00	7%	"					

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THE CORPORATION OF THE CITY OF HAMILTON

6

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase		Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$	Due to Fee Inc.	
CLERKS DEPARTMENT									
LICENCE SECTION									
Laundry									CH45XXX-12004
	- Plant	43.00	50.00	16%	Rate increase of 5% (rounded).				
	- Coin-Operated	37.00	50.00	35%	"				included above
Livery Vehicle	- Class A	193.00	210.00	9%	"				
Livery Vehicle Driver		28.00	50.00	79%					
	- photo every 3 years	10.00	10.00	0%					
Lodging House		140.00	150.00	7%	Rate increase of 5% (rounded).				
Second Level Lodging House	- 1 to 10 persons	133.00	140.00	5%	"				
	- 11 persons or more	266.00	280.00	5%	"				
Lotteries (Bingo & Raffles)		2% of Prize	2% of Prize						
Marriage Licences		53.00	53.00	0%	Provincial limit.				
Massagat - Masseurs - Reflexology		43.00	50.00	16%	"				
Old Gold Dealer		25.00	25.00	0%	Provincial limit.				included above
Pawnbroker (\$2000.00 Surety Bond Required)		200.00	210.00	5%					
Pedlar - Foot		43.00	50.00	16%	Rate increase of 5% (rounded).				
	- Vehicles	159.00	170.00	7%	"				
Pet Shop		29.00	50.00	72%					
Refreshment Vehicle	- Motor Vehicle	103.00	110.00	7%	Rate increase of 5% (rounded).				
	- Pedal Vehicle	103.00	110.00	7%	"				
Salvage Dealer - per truck		20.00	20.00	0%	Provincial limit.				
Salvage Yard		20.00	20.00	0%	"				
Second Hand		20.00	20.00	0%	"				included above
Special Sale - per \$1000.00 of inventory (cost)		3.00	3.00	0%					

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	1992 TOTAL BUDGET	1993 TOTAL BUDGET	\$ INCREASE	Increase Due to Fee Inc.	Account #
	1992	1993									
CLERKS DEPARTMENT											
LICENCE SECTION											
Steam Bath	254.00	270.00	6%	Rate increase of 5% (rounded).							CH45XXX-12004
Tobacco Shops	-	25.00	100%	New fee approved by Council.				included above			
Tow Truck	100.00	110.00	10%	Rate increase of 5% (rounded).							
Tow Truck Driver	30.00	50.00	67%								
- photo	10.00	10.00	0%								
Transient Trader - every 3 months per location	500.00	500.00	0%	Provincial limit.							
Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%. Minimum licence fee of \$50.00 unless there is a Provincial limit in force.											
HAMILTON FARMER'S MARKET											
Stand Number	Location										
1 to 8	(Refrigeration Units)	270.00	2%	Two percent increase (rounded).		275.00					
	- year	3,240.00	2%	Council approval 12/08/92.		3,300.00					
12 to 18	(Refrigeration Units)	270.00	2%	"		275.00					
	- year	3,240.00	2%	"		3,300.00					
22	(Refrigeration Units)	270.00	2%	"		275.00					
	- year	3,240.00	2%	"		3,300.00					
9,10,11	(Refrigeration Units)	225.00	2%	"		230.00					
	- year	2,700.00	2%	"		2,760.00					
19,20,21	(Refrigeration Units)	225.00	2%	"		230.00					
	- year	2,700.00	2%	"		2,760.00					
23 to 46	Ramp	25.00	4%	" (rounded)		26.00					
	- per month	157.00	2%	"		160.00					
	- year	1,884.00	2%	"		1,920.00					
47 to 62a	North Wall - Main Floor	25.00	4%	" (rounded)		26.00					
	- per month	157.00	2%	"		160.00					
	- year	1,884.00	2%	"		1,920.00					
63 to 70	West Wall - Main Floor	25.00	4%	" (rounded)		26.00					
	- per month	157.00	2%	"		160.00					
	- year	1,884.00	2%	"		1,920.00					
71 to 95	South Wall - Main Floor	25.00	4%	" (rounded)		26.00					
	- per month	157.00	2%	"		160.00					
	- year	1,884.00	2%	"		1,920.00					
	- year	1,884.00	2%	"		1,920.00					

\$427,520 \$402,390 (\$25,130) \$7,880 CH44101-12030

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET				
CLERKS DEPARTMENT										
HAMILTON FARMER'S MARKET										
96 to 100	Loading Docks	- per day 25.00 - per month 157.00 - year 1,884.00	26.00 160.00 1,920.00	4% 2% 2%	Two percent increase (rounded). Council approval 12/08/92.			included above		C144101-12030
101 to 111	East Wall - Main Floor	- per day 25.00 - per month 157.00 - year 1,884.00	26.00 160.00 1,920.00	4% 2% 2%	" " "					
112 to 143	Stands in Middle (North Side)	- per day 25.00 - per month 157.00 - year 1,884.00	26.00 160.00 1,920.00	4% 2% 2%	" " "					
144 to 175	Stands in Middle (South Side)	- per day 25.00 - per month 157.00 - year 1,884.00	26.00 160.00 1,920.00	4% 2% 2%	" " "					
30a, 36a, 37a, 46a		- per day 12.00 - per month 87.00 - year 1,044.00	12.00 89.00 1,068.00	0% 2% 2%	" " "					
70a, 72a		- per day 12.00 - per month 66.00 - year 792.00	12.00 67.00 804.00	0% 2% 2%	" " "					
92		- per day 25.00 - per month 221.00 - year 2,652.00	26.00 225.00 2,700.00	4% 2% 2%	" " "			included above		
176	Coffee Shop	- per month 314.00 - year 3,768.00	320.00 3,840.00	2% 2%	" "					
Dealer's Fees Payable in Addition to Fees Payable Above										
to 76 - annual		91.00	91.00	0%						
Producer's and Dealer's Fees for Adjacent Stands										
Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance - per day		7.00	7.00	0%						
Friday Market Fees (per day)										
8 ft. Refrigeration Unit		17.00	17.00	0%						
12 ft. Refrigeration Unit		21.00	21.00	0%						
Regular Stands		12.00	12.00	0%						
Each Additional Stand		7.00	7.00	0%						
Coffee Stand		23.00	23.00	0%				included above		
Daily User's Fee		25.00	26.00	4%	Two percent increase (rounded).					

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET			
FIRE DEPARTMENT									
Fire Services - MTC									
- \$300/first hour/apparatus									
- \$120 each additional half hour or part thereof									
- \$300 flat rate fee where services not required nor provided (Volunteer Fire Services will continue to bill at the hourly rate).									
Fire Inspection Fees									
- Copies of Fire Response Reports	16.00	17.00	6%	Two percent increase (rounded).	\$25,000	\$26,000	\$1,000	-	CH43106-48001
- Written confirmation as to whether or not there are any outstanding orders against property	26.00	27.00	4%	"					
- Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:									
(a) private home day-care facilities	31.50	33.00	5%	"					
(b) 1 and 2 family dwellings	31.50	33.00	5%	"					
(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests	63.00	65.00	3%	"		included above			
(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	100.00 to 500.00	102.00 to 510.00	2%	"					
Fire Training Complex									
- Based on prior year's costs					\$14,700	\$15,000	\$300	-	CH44120-48001

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET					
LOCAL ROADS – REGION											
GENERAL											
Overload Permit Fees (Annual Permit)											
– Charges per metric tonne of overload		135.00	3%	Council 12/08/92.	\$3,000	\$2,000	(\$1,000)			–	CH44049–52001
– Tractor trailer	218.00	225.00	3%	"							
– Single unit truck											
INADVERTENT ENCROACHMENT FEES											
Passive Encroachment on Road Allowance											
Initial Fee:											
Processing Fee	95.00	95.00	0%	No fee increases for 1993.	\$7,510	\$7,510	\$0				CH44006–52035
Registration Fee	28.00	28.00	0%	"	\$1,800	\$1,800	\$0				CH44005–52035
Insurance	20.00	20.00	0%	"	\$4,600	\$4,600	\$0				CH48001–52035
First Year Fee	143.00	143.00		"							
Annual Fee:											
(a) Inadvertent	NIL	NIL									
(b) Landscaping – area less than 100 m2	NIL	NIL	0%	"							
– area greater than 100 m2	30.00	30.00		"							
(c) Overhead											
– overhanging signs, fire escapes, canopies, marquees, etc.	10% of market or \$30.00 minimum	10% of market or \$30.00 minimum	0%	"							
Discharge of Agreements (Road Allowance)	130.00	130.00	0%	"							
Note: All market values obtained from Real Estate.											
Recovery – Insurance Premium (annual)	10.00	10.00	0%	"		included above					
OTHER ENCROACHMENT FEES											
Initial Fee:											
Processing Fee (active)	200.00	200.00	0%	"	\$24,300	\$24,300	\$0			–	CH44XXX–52040
Registration Fee	30.00	30.00	0%	"							
	230.00	230.00		"							

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	TOTAL	TOTAL	Due to Fee Inc.	Account #
	1992	1993			BUDGET	BUDGET			Increase
<div>LOCAL ROADS -- REGION</div>								
OTHER ENCROACHMENT FEES								
(a) Boulevard Parking Fees								CH44XXX-52040
--Downtown (per sq.ft./yr.)	0.30	0.30	0%	No fee increases for 1993.	}	included above		
--Commercial (per sq.ft./yr.)	0.25	0.25	0%	"	}			
--Industrial (per sq.ft./yr.)	0.20	0.20	0%	"	}			
(b) Patio Cafes -- seasonal fee (6 mths)	6 1/2% of 10% of market value	6 1/2% of 10% of market value	0%	"	}			
(c) Areeaways -- annual fee	10% of 50% of market value	10% of 50% of market value	0%	"	}			
(d) Utility Corridors for Services, pipes, and Pedestrians								
1. Overhead								
i) Pedestrian	10% of market value	10% of market value	0%	"	}	included above		
ii) Pipe	10% of market value	10% of market value	0%	"	}			
2. Underground	10% of 50% of market value	10% of 50% of market value	0%	"	}			
(e) Billboards not on Road Allowance								
-- fee per poster panel per year	9% of Gross Revenue	9% of Gross Revenue	0%	"	}			
-- fee per bulletin	9% of Gross Revenue	9% of Gross Revenue	0%	"	}			
(f) Benches -- annual fee (per bench)	48.00	54.00	0%	"	}	included above		
(g) Wheel Chair Ramps -- per year	13.00	14.00	8%					
(h) Newspaper Boxes -- annual fee (per box)	13.00	14.00	8%					

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET			
LOCAL ROADS -- REGION									
OTHER ENCROACHMENT FEES									
(1) Telephone Kiosks -- annual fee	11 % of Gross Revenue	11 % of Gross Revenue	0%	No fee increases for 1993.	}	included above			CH44XXX-52040
Enquiries Regarding Status of Agreement									
- If field investigation required	100.00	100.00	0%	" "	}				"
- If no field investigation required	55.00	55.00	0%	" "	}				"
Permanent Road Closure									
- Application fee	250.00	598.00	139%		}				"
When a Status of Agreement Results in a Discharge of Agreement	30.00	30.00	0%	No fee increases for 1993.	}				"

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.		Account #		
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$ Increase						
PLANNING – BY REGION													
Fees – Rezoning Application	830.00	1100.00	33%	New fee.	\$70,550	\$77,000	\$6,450	–	\$27,000	–	CH44038–\$4005		
– Phase 1	–	600.00	100%		–	–	–	–	–	–			
– Phase 2	–	–			–	–	–	–	–	–			
Official Plan Amendment	830.00	1100.00	33%	New fee.	\$4,150	\$9,900	\$5,750	–	\$1,080	–			
– Phase 1	–	600.00	100%		–	–	–	–	\$5,400	–			
– Phase 2	–	–			–	–	–	–	–	–			
Site Plan Control	390.00	1000.00	156%		\$29,250	\$42,000	\$12,750	–	–	–			
Approved Site Plan Amendment	170.00	400.00	135%		\$7,650	\$11,200	\$3,550	–	–	–			
Official Plan Amendment & Rezoning	1,660.00	2,200.00	33%		Included above.							–	
Subdivi	–	550.00	100%	New fee.	–	–	–	–	\$1,650	–	CH44038–\$4005		
– simple application	–	1,000.00	100%		–	–	–	–	\$2,000	–			
– complex application	–	–			–	–	–	–	–	–			
Condominiums	–	550.00	100%		–	–	–	–	\$1,750	–			
Revisions to plans of subdivision and condominiums	–	350.00	100%		–	–	–	–	\$1,050	–			
Draft plan of subdivision extensions	–	175.00	100%		–	–	–	–	\$530	–			
Exempt part lot control	–	300.00	100%		–	–	–	–	\$900	–			
Street name change	–	1,500.00	100%		–	–	–	–	–	–			
Property Report – file searches requested for lawyers with respect to O.P. compliance, Historical Designations, zoning status, etc.	–	40.00	100%		–	–	–	–	\$480	–			

15

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$ INCREASE			
PROPERTY DEPARTMENT										
RENTALS										
Civic Properties – monthly										
– 563 Aberdeen	261.00	275.00	5%	Landlord & Tenant Act permits inflationary increases.						
– 240 Burlington St.E. (Municipal Storage)	0.00	0.00	0%	Increases effective Jan.1/93.						
– 52/56 Charlton W. (Big Sisters Assc.)	1,300.00	1,300.00	0%							
– 499 Charlton E.	458.00	485.00	6%							
– 107 Graham N.	575.00	610.00	6%							
– 109 Graham N.	574.00	608.00	6%							
– 113 Graham N.	421.00	446.00	6%							
– 48 Holly	421.00	446.00	6%							
– 50 Holly	395.00	419.00	6%							
– 375 James S. (Boy Scouts Assc.)	1.00	1.00	0%							
– 485 John N. (North – end Res. Org.)	0.00	0.00	0%							
– 401 – 403 King W. (Ham. Wesley House)	550.00	550.00	0%							
– 2656 King St. E.	521.00	552.00	6%							
– 2787 King St. E. (Lower)	268.00	284.00	6%							
– 2787 King St. E. (Upper)	527.00	559.00	6%							
– 130 Lawrence	247.00	262.00	6%							
– 1150 Leaside	389.00	412.00	6%							
– 112 Province St. N.	450.00	419.00	–7%							
– 122 Province St. N.	395.00	0.00	–100%	To be demolished. Tenant moving to 112 Province St. N.					included above	
– 195 Rebecca (Taxi Licence Bureau)	0.00	0.00	0%							
– 306 Rymal E.	263.00	279.00	6%							
– 662 Rymal E.	563.00	597.00	6%							
– 1086 West 5th	263.00	279.00	6%							
– Red Hill School	500.00	500.00	0%							
Press Club – monthly (amounts weighted average)	734.51	768.30	5%	March 15/91 – March 14/92 = \$707.39 Council approved. March 15/92 – March 14/93 = \$739.93 March 15/93 – March 14/94 = \$773.97						
Credit Union – monthly	6,666.67	6,666.67	0%	5 year lease – Nov.2/91 – Nov.1/96.						CH44103–31109
City Hall Cafeteria – monthly	1000.00	1000.00	0%	5 year lease – April 6/92 – April 5/97.						CH44134–30002
	+ 10% gross sales	+ 10% gross sales								

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase \$	Increase Fee Inc.	Account #
	1992	1993			TOTAL	BUDGET	TOTAL	BUDGET			
PUBLIC WORKS – CEMETERIES DIVISION											
ADMINISTRATION											
Rental – Cemetery – see additional services below									\$0		CH44118–63001
Crypt Sales – see additional services below											
BURIALS AND REMOVALS											
Opening and Closing											
– 6 ft. Adult	423.00	490.00	7%								
– 8 ft. Adult	570.00	634.00	7%								
– 6 ft. Child	256.00	376.00	7%								
– case up to 42"	291.00	412.00	7%								
– case 43" to 60"	322.00	465.00	7%								
– case 61" to 72"	358.00	515.00	7%								
– 8 ft. Child	322.00	465.00	7%								
– case up to 60"	358.00	515.00	7%								
– case 61" to 72"	57.00	86.00	7%								
– Baby Special – up to one month old	137.00	196.00	7%								
– Cremation	90.00	–	7%								
– Columbarium	349.00	409.00	7%								
– Mansion of Memories (Stoney Creek)											
Lowering (Includes Opening, Removal, Lowering, Closing)											
– Adult – 6 ft. to 8 ft. – shell	282.00	428.00									
– Adult – 6 ft. to 8 ft – concrete vault/crypt	657.00	988.00									
– Child – 6 ft. to 8 ft. – 5 to 10 years	196.00	291.00									
– Child – 6 ft. to 8 ft. – under 5 years	94.00	138.00									
Removals											
– Adult – Shell	1,488.00	2,290.00	7%								
– Adult – Concrete vault or crypt	1,214.00	1,817.00	7%								
– Child – Shell	353.00	550.00	56%								
– Child – Concrete vault or crypt	378.00	560.00	19%								
– Cremation	137.00	196.00	7%								

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	TOTAL		\$ Increase	Due to Fee Inc.	Account #
	1992	1993			BUDGET	BUDGET			
PUBLIC WORKS – CEMETERIES DIVISION									
FOUNDATIONS AND MARKERS									
– Foundation – pouring per square inch of surface area (6 feet deep)	0.94	1.41	0%	Ministry of Consumer & Commercial Relations Cemetery Act regulates these charges.	\$151,200	\$150,840	(\$360)		CH44XXX–63120
– Marker Setting Fee	114.00	177.00	0%						
– Social Service Marker	114.00	114.00	0%						*
– Bronze Vase	114.00	177.00	0%						*
– D.V.A. Upright	96.00	96.00	0%						*
– D.V.A. Flat	96.00	96.00	0%						*
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE									
– Adult Single Grave	417.00	515.00	7%		\$306,120	\$333,060	\$26,940		CH44XXX–63165
– Preferred Single Grave	697.00	746.00	7%						*
– Child Single Grave	100.00	107.00	7%						*
– case up to 60"	148.00	158.00	7%						
– case 61" to 72"	232.00	248.00	7%						
– Urn Garden	396.00	424.00	7%						*
– Veteran's Grave	1599.00	1,711.00	7%						*
– Two-Grave Lot	1,305.00	1,396.00	7%						*
– Two-Grave Lot – Eastlawn	2,388.00	2,555.00	7%						*
– Three-Grave Lot – Woodland	5,782.00	6,187.00	7%						*
– Four-Grave Lot – Woodland Section 15	3,130.00	3,349.00	7%						*
– Eastlawn / Woodland	2,941.00	3,147.00	7%						*
– Four-Grave Lot – Trinity	1,114.00	1,192.00	7%						*
– Mansion of Memories – Mausoleum crypt	44.00	47.00	7%						*
– Baby Special	859.00	919.00	7%						*
– Columbarium									*
– 40% Care & Maintenance									*
ADDITIONAL SERVICES									
– Crypts	272.00	272.00	0%	Contractual 1992, 1993, 1994					
– Child	285.00	285.00	0%						
– Youth	297.00	297.00	0%						
– Standard	305.00	305.00	0%						
– Intermediate	324.00	324.00	0%						
– Oversize	40.00	40.00	0%						
– Planting – prepare ground/plant flowers (per grave)									included above

THE CORPORATION OF THE CITY OF HAMILTON

20...

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	INCREASE		Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$	Fee Inc.	
PUBLIC WORKS - PARKS DIVISION MUM SHOW	- Adult / Senior	2.00	0%	Council 5/26/92. Includes G.S.T.	\$40,000	\$23,000	(\$17,000)	-	CH44001-62218
	- Youth (12 - 18 years)	0.99	0%	" No G.S.T.					
	- Child (under 12 years)	Free	0%						
GAGE PARK GREENHOUSE - WEDDING CHARGE	-	50.00	100%	New fee.	-	-	-	\$3,150	CHxxx-62XXX
	- Flat fee (7:00 A.M. - 3:00 P.M.)	50.00 + O.T. \$47.25/hr.	100%						
- After 3:00 P.M. - per hour									

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	TOTAL BUDGET	TOTAL BUDGET	\$ INCREASE	Increase Due to Fee Inc.	Account #
	1992	1993									
RECREATION DEPARTMENT											
SENIOR CITIZENS CENTRES											
Central YWCA	- Memberships	10.00	12.00	20%	Effective May 1, 1993 if approved.	}	\$20,580	\$21,000	\$420	\$8,000	CH44012-70105
Main/Hess Complex	- Memberships	10.00	12.00	20%	"	}	\$7,560	\$8,000	\$440		CH44012-70110
Ottawa St. YWCA	- Memberships	10.00	12.00	20%	"	}	\$16,200	\$16,000	(\$200)		CH44012-70115
Sackville Hill Seniors Rec. Centre		10.00	12.00	20%	" New Centre November 1992.	}	-	\$40,000			CH44012-70120
Non-resident Fees Add 50%											
CHEDOKE GOLF CLUB & PRO SHOP											
- Golf Memberships											
PLAN A											
	- Adult	565.00	595.00	5%	Approved by Council 12/08/92.	}	\$435,000	\$445,920	\$10,920	\$70,000	CH44012-70405
	- Adult Non-Resident	847.00	695.00	-18%	"	}					"
	- Couples	1,060.00	1,100.00	4%	"	}					"
	- Couples Non-Resident	1,590.00	1,200.00	-25%	"	}					"
	- Family	1,160.00	1,225.00	6%	"	}					"
	- Family Non-Resident	1,740.00	1,325.00	-24%	"	}					"
	- Juniors	205.00	235.00	15%	"	}					"
	- Juniors Non-Resident	307.00	335.00	9%	"	}					"
	- Intermediate	395.00	380.00	-4%	"	}					"
	- Intermediate Non-Resident	592.00	480.00	-19%	"	}			included above		"
	- Pensioners	390.00	380.00	-3%	"	}					"
	- Pensioners Non-Resident	585.00	480.00	-18%	"	}					"
						}					"
PLAN B											
- Golf Memberships											
- fee as indicated plus 1/2 of applicable green fee rate											
	- Adult	-	200.00		Approved by Council 12/08/92.	}					CH44012-70405
	- Adult Non-Resident	-	300.00		"	}					"
	- Couples	-	370.00		"	}					"
	- Couples Non-Resident	-	470.00		"	}					"
	- Family	-	405.00		"	}					"
	- Family Non-Resident	-	505.00		"	}					"
	- Juniors	-	75.00		"	}					"
	- Juniors Non-Resident	-	175.00		"	}					"
	- Intermediate	-	125.00		"	}					"
	- Intermediate Non-Resident	-	225.00		"	}					"
	- Pensioners	-	125.00		"	}					"
	- Pensioners Non-Resident	-	225.00		"	}			included above		"

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	1992 TOTAL BUDGET	1993 TOTAL BUDGET	\$ INCREASE	Increase Due to Fee Inc.	Account #
	1992	1993									
RECREATION DEPARTMENT											
CHEDOKE GOLF CLUB & PRO SHOP											
- Green Fees											
- Martin - 18	23.00	19.00	-17%	Approved by Council 12/08/92.							CH44013-70405
- Martin - Pensioners / Junior	16.00	12.00	-25%	"					\$0		"
- Martin - Twilight	14.00	10.00	-29%	"							"
- Beddoe - 18	25.00	23.00	-8%	"							"
- Beddoe - Pensioners	18.00	16.00	-11%	"							"
- Beddoe - Twilight	16.00	14.00	-13%	"							"
- Concession Fee	21,000.00	24,310.00	16%	Contractual arrangement.			\$23,150	\$24,310	\$1,160		CH44011-70405
- Between Tiffany's and City of Hamilton from March 1,1992 to February 28,1993 (contract expires February 28,1994)											
- Locker Fee - for members only	20.00	20.00	0%				\$3,150	\$3,150	\$0		CH44014-70405
CHEDOKE WINTER SPORTS PARK											
- Tow Fee											
- Adults (18 & over)											
- Full Day	9.00	13.00	44%	Council 8/25/92. Rates to be reviewed fro the					\$5,000	\$10,000	CH44015-70410
- Half Day	7.00	11.00	57%	1993 - 1994 season.							"
- Youth (under 18 yrs.).											"
Special Needs and Seniors											"
- Full Day	8.00	12.00	50%	"							"
- Half Day	6.00	10.00	67%	"							"
- Ski Lift Packages (10 tickets)											
- Adult	64.00	90.00	41%						(\$4,350)		CH44012-70410
- Youth	42.00	80.00	90%								"
- Chedoke Ski School											
- Adults/Youth	-	24.00	100%	Council 8/25/92. Rates to be reviewed fro the							CH44015-70410
- Child	-	18.00	100%	"							"
- Chedoke Racing School (all participants)	-	45.00	100%	"					included above		"
- Hamilton Association for Disabled Skiers (flat fee)	-	1000.00	100%	"							"

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase \$	Due to Fee Inc.	Account #
	1992	1993			BUDGET	TOTAL	BUDGET	TOTAL			
RECREATION DEPARTMENT											
KING'S FOREST GOLF CLUB & PRO SHOP											
- Golf Memberships											
- Adult	665.00	700.00	5%	Approved by Council 12/08/92.	}	\$ 324,000	\$ 324,000	\$0	\$40,000	CH44012-70415	*
- Adult Non - Resident	997.50	800.00	-20%	"	}						*
- Couples	1,210.00	1,260.00	4%	"	}						*
- Couples Non - Resident	1,815.00	1,360.00	-25%	"	}						*
- Family	1,310.00	1,400.00	7%	"	}						*
- Family Non - Resident	1,965.00	1,500.00	-24%	"	}						*
- Juniors	275.00	305.00	11%	"	}						*
- Juniors Non - Resident	412.50	405.00	-2%	"	}						*
- Intermediate	415.00	400.00	-4%	"	}						*
- Intermediate Non - Resident	622.50	500.00	-20%	"	}						*
- Pensioners	410.00	400.00	-2%	"	}						*
- Pensioners Non - Resident	615.00	500.00	-19%	"	}						*
- Green Fees											
- 18 hole	25.00	25.00	0%	Approved by Council 12/08/92.	}	\$ 240,000	\$ 240,000	\$0		CH44013-70415	*
- 9 hole	16.00	16.00	0%	"	}						*
- Pensioners	18.00	18.00	0%	"	}						*
- Twilight	16.00	16.00	0%	"	}						*
- Concession Fee											
	25,520.00	25,520.00	0%			\$ 32,550	\$ 29,550	(\$3,000)		CH44011-70415	
- Locker Fee - for members only											
	20.00	20.00	0%			\$ 4,300	\$ 4,300	\$0		CH44014-70415	
GLOBE PARK DIAMONDS											
- Rental Fee											
- Weekday per hour	8.14	9.00	11%	Rates are rounded off and include G.S.T.	}	\$ 64,540	\$ 70,990	\$6,450		CH44122-70920	*
- Weekend per hour	9.56	10.50	10%	"	}						*
- Holidays per hour	10.68	11.75	10%	"	}						*
- Tournament (Flat Fee)											
- Daily until 6:00 PM	235.94	260.00	10%	"	}	\$ 32,660	\$ 33,150	\$490		CH44123-70920	*
- Daily until dusk	295.48	325.00	10%	"	}						*

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	TOTAL		\$ Increase	Due to Fee Inc.	Account #
	1992	1993			BUDGET	BUDGET			
RECREATION DEPARTMENT									
COMMUNITY RECREATION CENTRES									
- Universal Memberships									
- Family	70.00	70.00	0%	Rates approved by Council. G.S.T. included in fee.	}	\$481,880			CH44034-70301-70360
- Single Parent Family	55.00	55.00	0%	" " " "	}				"
- Adult	50.00	50.00	0%	" " " "	}				"
- Youth (17 and under)	10.00	10.00	0%	" " " "	}				"
- Seniors & Disabled	7.00	12.00	71%	Rate increase proposed for May/93.	}				"
- Replacement	2.00	3.00	50%	" " " "	}				"
- Instructional	6.55	10.00	53%	" " " "	}				"
(Special Interest Programs)									
Non - Residential Rate - premium of 50% per current policy.									
- Summer Memberships (June 1 - Labour Day)									
- Family	35.70	40.00	12%	Rates approved by Council.	}				CH44034-70301-70360
- Single - Parent Family	-	30.00		" " " "	}				"
- Adult	23.10	25.00	8%	" " " "	}			included above	"
- Youth	8.40	10.00	19%	" " " "	}				"
- Seniors & Disabled	3.15	8.00	154%	" " " "	}				"
- Replacement	-	1.00	100%	" " " "	}				"
Non - Residential Rate - premium of 50% per current policy.									
Aquatic fee (course) - per session (with membership)	10.00	10.00	0%			\$107,680	\$108,500	\$820	CH44010-70301-70360
- Rental Rates									
- Community Rooms									
- Children's Groups - per hour	5.25	15.00	186%	Rates approved by Council. G.S.T. included in fee.					
- Adult Groups - first hour	10.50	20.00	90%	" " " "					
- each add'l. hour	5.25	20.00	281%	" " " "					
- Pools (2 lifeguards) - per hour	52.50	75.00	43%	" " " "					
COMMUNITY ARENAS									
- Serving alcoholic beverages - per hour	42.00	40.00	-5%	G.S.T. included in fee.					
- Selling alcoholic beverages - per hour	-	50.00	100%	" " Council approved.					
- Universal Memberships									
- Family	35.00	35.00	0%	Memberships stabilized over next few years. Increase only in		\$603,190	\$606,400	\$3,210	CH44033-70205-70243
- Single Parent Family	25.00	25.00	0%	Senior/Disabled memberships and Replacement/Instructional					
- Adult	20.00	20.00	0%	G.S.T. included in fee.					

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase	Account #
	1992	1993							
	TOTAL BUDGET	TOTAL BUDGET							
RECREATION DEPARTMENT									
COMMUNITY ARENAS									
- Universal Memberships									CH44033-70205-70243
- Youth (13-17 Years)	10.00	10.00	0%	Rates approved by Council. G.S.T. included in fee.					
- Seniors & Disabled	5.00	12.00	140%	Rate increase proposed for May/93.					
- Replacement	2.00	3.00	50%	"					
- Instructional	7.00	10.00	43%	"					
Non-Residential Rate - premium of 50% per current policy.									
- Summer Memberships (June 1 - Labour Day)									
- Outdoor Pool Memberships									
- Family	10.50	20.00	90%	Rates approved by Council. G.S.T. included in fee.	\$15,670	\$15,570	(\$100)		CH44034-70205-70220
- Single Parent Family	7.90	15.00	90%	"					
- Adult	6.30	10.00	59%	"					
- Youth	3.15	6.00	90%	"					
- Seniors & Disabled	2.10	6.00	186%	"					
- Replacement	0.55	1.00	82%	"					
Centres And Arenas									
- Family	4.40	4.40	0%	Rates approved by Council. G.S.T. included in fee.					CH44034-various
- Single Parent Family	4.00	4.00	0%	"					"
- Adult (18 and up)	3.00	3.00	0%	"					"
- Youth (13 to 17 Years)	2.00	2.00	0%	"					"
- Seniors & Disabled	1.00	2.00	100%	"					"
ADMISSION FEES									
- Outdoor Pools									
- Family	2.00	3.00	50%	Rates approved by Council. G.S.T. included in fee.					CH44034-70205-70245
- Single-parent Family	-	2.00		"					"
- Adult (18 and up)	1.00	1.50	50%	"					"
- Youth (13 to 17 Years)	0.50	1.00	100%	"					"
- Seniors & Disabled	0.25	1.00	300%	"					"
MUNICIPAL ARENAS (October - April)									
- Adult - per hour	1992/93 Season	1993/94 Season	1994/95 Season						
- Non - prime time (6:00 AM - 6:00 PM)	70.00	80.00	90.00	14%	Council 02/28/92. G.S.T. included in fees.	\$255,770	\$255,800	\$30	CH44110-70205-70243
- Prime time (6:00 PM - Midnight Weekdays (8:00 AM - 11:00 PM Weekends))	110.00	120.00	130.00	9%	Three year adoption 1992 - 1994.				

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	TOTAL	TOTAL	\$	Due to
		BUDGET	BUDGET		
				Increase	Account #

RECREATION DEPARTMENT

MUNICIPAL ARENAS (October - April)

	1992/93 Season	1993/94 Season	1994/95 Season								
- Youth - per hour											
- Non - prime time (6:00 AM - 6:00 PM)	60.00	65.00	70.00	8%	Council 02/28/92, G.S.T. included in fees.						
- Prime time (6:00 PM - Midnight Weekdays (8:00 AM - 11:00 PM Weekends))	70.00	75.00	80.00	7%	Three year adoption 1992 - 1994.				included above		CH44110-70205-70243
- Recreational League Games & Practices	26.00	30.00	35.00	15%	"						"
- Minor Hockey House League / Hub Games	26.00	30.00	35.00	15%	"						"
- Minor Hockey Reps	41.00	45.00	50.00	10%	"						"
- Minor Practice - Hub / Rep	41.00	45.00	50.00	10%	"						"
- Tournament - House League	59.00	65.00	70.00	10%	"						"
- H.U.B. & Rep Tournaments	64.00	67.00	70.00	5%	"						"
- Revenue - Charitable	100.00	110.00	120.00	10%	"						"
- Revenue / Admission HI/AC	210.00	220.00	230.00	5%	"				included above		"
- Junior A,B and C Games	300.00	320.00	340.00	7%	"						"
MUNICIPAL ARENAS (May - September)											
- Minor Hockey	70.00	75.00	80.00	7%	Council 02/28/92, G.S.T. included in fees.						CH44110-70205-70243
- Adult - per hour											
- Non - prime time	82.00	90.00	95.00	10%	"						"
- Prime time	120.00	130.00	140.00	8%	"						"
- Youth - per hour											
- Non - prime time	82.00	85.00	90.00	4%	"						"
- Prime time	82.00	85.00	90.00	4%	"						"
- Tennis court rentals in spring/fall seasons											
- Board of Education & Hamilton - Wentworth Separate School Board	3.00 first hr. 2.00 ea. add. hr.	3.15 first hr. 2.15 ea. add. hr.		5%	Rates maintained for 1993 season. Does not include G.S.T.						CH44122-70920

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE			% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.	Account #	
	1992		1993									
	Season	Season	Season			Season						
RECREATION DEPARTMENT												
LAWFIELD ARENA – SUMMER												
– Adult – per hour		1992/93	1993/94	1994/95								
– Non – prime time (6:00 AM – 6:00 PM)		73.50	73.50	82.00	12%	Rates approved by Council. G.S.T. included in fee.	Included in Arenas above.				– CH44110–70240	
– Prime time (6:00 PM – Closing)		89.25	89.25	120.00	34%							
– Youth – per hour												
– Non – prime time (6:00 AM – 6:00 PM)		73.50	73.50	82.00	12%							
– Prime time		73.50	73.50	82.00	12%							
IVOR WYNNE STADIUM												
Rental – Stadium – Soccer / Football												
– Semi – P – Weekdays		83.71 or 15%	134.54 or 15%	92.10 or 15%	10%							
– Weekends		83.71 or 15%	134.54 or 15%	92.10 or 15%	10%							
– Holidays		88.48 or 15%	147.46 or 15%	97.30 or 15%	10%							
– Semi – P – Weekdays		16.57	16.57 + light chgs	18.20	10%							
– Weekends		18.82	18.82 + light chgs	20.70	10%							
– Holidays		21.35	21.35 + light chgs	23.50	10%							
– Amateur – Weekdays		49.43 or 15%	99.15 or 15%	54.40 or 15%	10%							
(Games) – Weekends		51.96 or 15%	103.93 or 15%	57.20 or 15%	10%							
– Holidays		55.33 or 15%	108.42 or 15%	60.90 or 15%	10%							
– Amateur – Weekdays		11.80	11.80 + light chgs	13.00	10%							
(Practice) – Weekends		17.70	17.70 + light chgs	19.50	10%							
– Holidays		21.35	21.35 + light chgs	23.50	10%							
– Minor (– Weekdays		41.29 or 15%	82.58 or 15%	45.40 or 15%	0%							
– Weekends		43.54 or 15%	82.58 or 15%	47.90 or 15%	0%							
– Holidays		45.22 or 15%	92.13 or 15%	49.70 or 15%	0%							
Rental – Stadium – Soccer / Football												
– Minor (– Weekdays		11.08	11.08 + light chgs	12.20	10%							
– Weekends		14.05	14.05 + light chgs	15.50	10%							
– Holidays		16.57	16.57 + light chgs	18.20	10%							
– Hamilton Board of Education and the Hamilton – Wentworth Separate School Board			56.75	62.40	10%							
			58.75	64.60	10%							
– Exhibits – All times		23.59	23.59 + light chgs	25.90	0%							

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	INCREASE \$	Account #
	1992	1993						
	TOTAL BUDGET	TOTAL BUDGET						
RECREATION DEPARTMENT								
Lighting Charges								
- Semi Pro	204.20	224.60	10%	G.S.T. included.	}		included above	CH44114-70905
- Full Lights (8 banks)	103.93	114.30	10%	" "	}			CH44115-70905
- 1/2 Lights (4 banks)	47.19	47.20	0%	" "	}			"
- 1/4 Lights (2 banks)								
- Amateur Adult - Full Lights (8 banks)	173.30	190.60	10%	" "	}			"
- 1/2 Lights (4 banks)	88.48	97.30	10%	" "	}			"
- 1/4 Lights (2 banks)	47.19	51.90	10%	" "	}			"
- Bd. of Education - Full Lights (8 banks)	151.12	166.20	10%	" "	}			"
- 1/2 Lights (4 banks)	66.01	72.60	10%	" "	}			"
- 1/4 Lights (2 banks)	40.17	44.20	10%	" "	}			"
Note: All above fees are hourly charges								
Rental - Stadium - Special Events								
- Community Organizations								
- No gate tickets	815.00	896.50	10%	G.S.T. included.		\$2,100	\$1,500 (\$600)	CH44116-70905
- With ticket sales	780.00 minimum or	780.00 minimum or						"
Rental - Stadium - Special Events								
- Non - Profit Organizations	2,454.25	2,699.70	10%	G.S.T. included.				
(all proceeds - Charitable causes)								
Profit - Commercial Organizations	Negotiable	Negotiable						
Green Room - Reception Area	31.50	34.65	10%	G.S.T. included.				
IVOR WYNNE STADIUM - SCOTT PARK PARKING LOT								
- Lease of parking lot to the Hamilton Junior Chamber of Commerce for Ti-Cat games	4,900.00	4,900.00	0%	Effective April 9/91. Contract 01/01/91 to 12/31/93, with the fee negotiated annually.		\$4,800	\$4,800 \$0	CH44125-70905

THE CORPORATION OF THE CITY OF HAMILTON

30.....

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase	
		TOTAL	BUDGET	TOTAL	BUDGET	\$	Due to
						Increase	Fee Inc.
							Account #

RECREATION DEPARTMENT

Concession Fees

- Globe Park (Ruth's)
- Gage Park (Ruth's)

Flat Fee Per Year	Flat Fee Per Year
1000.00	1000.00
100.00	100.00

Special Events Permit Fee

- Category 1 : festivals two days or more
- Category 2 : Community Events of one day
- Category 3 : Sports Events in both multi or single sport programs

Flat Fee Per Year	Flat Fee Per Year
100.00 per day	100.00 per day
20.00 per day	20.00 per day
according to rental policy	according to rental policy

Rental - Park & Pavilion

- Dundurn Park - Pavilion
- Special Events (Pavilion)
- open space - permitted
- Bandshell rental - Gage Park

Flat Fee Per Year	Flat Fee Per Year
19.00	30.00
21.00	35.00
3.25	10.00
31.50	45.00
36.75	50.00

Barton Community Centre

- Private / Commercial
- Adult Groups
- Youth Groups

Flat Fee Per Year	Flat Fee Per Year
68.53	75.40
31.74	34.90
6.18	6.70

Normanburg Community Centre

- Private / Commercial
- Youth Groups
- Seniors Groups
- Kiwanis Club

Flat Fee Per Year	Flat Fee Per Year
31.74	34.9
6.18	6.80
1.12	2.00
6.18	6.80

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE				% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.	Account #	
	1992		1993				TOTAL BUDGET	TOTAL BUDGET	\$ Increase				
	Pre-Booked Group Visitors	General Admission	Pre-Booked Group Visitors	General Admission									
CULTURE DIVISION													
MUSEUMS													
Admission Fee – Dundurn Castle													
– Adult	3.40	3.75	4.00	4.50	18%		} \$176,100	\$158,280				CH44001–71001	
– Senior	2.25	2.50	2.50	2.75	11%		}						
– Student	2.25	2.55	2.50	2.75	11%		}						
– Child (6 to 14 Years)	1.25	1.55	1.50	1.75	20%		}						
Admission Fee – Hamilton Military Museum													
– Adult	1.45	1.60	1.55	1.75	7%		} \$9,000	\$11,000				CH44001–71105	
– Senior	1.20	1.35	1.35	1.50	13%		}						
– Student	1.20	1.35	1.35	1.50	13%		}						
– Child (6 to 14 Years)	1.00	1.10	1.10	1.25	10%		}						
– Programme—Student (14 and under)	1.35	1.50	1.50	1.65	11%		}						
– Programme—Student (over 14)	1.70	1.90	1.70	1.90	0%								
Admission Fee – Whitehern		Sept./92											
– Adult	2.00	2.25	2.00	2.25	0%		} \$10,200	\$11,000				CH44001–71205	
– Senior	1.55	1.75	1.55	1.75	0%		}						
– Student	1.55	1.75	1.55	1.75	0%		}						
Admission Fee – Whitehern		Sept./92											
– Child (6 to 13 Years)	1.10	1.50	1.10	1.25	0%		}						
– Programme – Child	1.35	1.50	1.35	1.50	0%		}						
Admission Fee – Hamilton Museum of Steam & Technology		Sept./92											
– Adult	1.80	2.25	2.00	2.25	11%		} \$12,300	\$14,000				CH44001–71405	
– Senior	1.50	1.75	1.55	1.75	3%		}						
– Student	1.50	1.75	1.55	1.75	3%		}						
– Child (6 to 14 Years)	1.35	1.50	1.35	1.50	0%		}						
– Programme			1.35	1.50									
– Membership Fees – The Pumphouse Association (non-profit organization)													
– regular membership	10.00		10.00		0%		} \$300	\$400				CH44012–71405	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

1992

1993

% INCREASE
OVER 1992

EXPLANATION AND/OR COMMENTS

1992
TOTAL
BUDGET1993
TOTAL
BUDGET\$
INCREASEIncrease
Due to
Fee Inc.

Account #

TRAFFIC DEPARTMENT

ADMINISTRATION

Administration Fee - work done for Region

Traffic - photocopies of counts provided to the public
- per sheetTraffic - traffic control manuals issued by the M.T.C.
(sold to contractors etc. by Traffic at cost)

TRAFFIC BY-LAW ENFORCEMENT

Fines - City

- Overtime Parking

- exceeded paid limit
- exceeded hour limit

- Unauthorized Parking

- Municipal property
- no valid permit
- private property
- improperly parked

- Parking Prohibited

- signed area
- sidewalk
- boulevard
- through street
- heavy vehicle
- facing wrong way
- fire route
- loading zone
- more than 12' from curb

- Stopping Prohibited

- signed area
- taxi area
- fire route
- bus stop
- commercial vehicle loading zone

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cost plus 7 %

cost plus 7 %

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DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

% INCREASE OVER 1992	USER FEE OR CHARGE		EXPLANATION AND/OR COMMENTS	1992 TOTAL BUDGET	1993 TOTAL BUDGET	\$ Increase	Increase Due to Fee Inc.	Account #
	1992	1993						

TRAFFIC DEPARTMENT

TRAFFIC BY - LAW ENFORCEMENT

Fines - City	Early Payment	Set Fine	Early Payment	Set Fine				
- Stopping Prohibited								
- within 20' of crosswalk	50.00	75.00	50.00	75.00				
- obstructing driveway	50.00	75.00	50.00	75.00				
- within 10' of hydrant	50.00	75.00	50.00	75.00				
- Snow Route								
- declared snow emergency	35.00	50.00	35.00	50.00				
- Handicapped Space								
- no permit displayed	100.00	150.00	100.00	150.00				

included above

CH45201-75020

RESIDENTIAL BOULEVARD PARKING

Annual Rental Fee								
Handling Fee (\$10 goes toward Rec.-Insurance Prem. below)								
Application (approved) fee								
Recovery-Insurance Premium (see below) - encroachment insurance								

ON-STREET PARKING

Meter Fees - meter fees from various districts	0.50 - 1.00		0.50 - 1.00					
On Street Parking Permit Fees								
- per permit (must live on street)	12.00		36.00					
- time-limit permit (must live in area)	24.00		36.00					
- where there are time-limit restrictions on a particular street								

COMMERCIAL BOULEVARD PARKING

Annual - per space or part of a space per year for each of the first two spaces	58.81		59.57					
- per space or part of a space per year for each space over two and up to a total of ten spaces	29.41		29.79					
Processing Fees - \$10 goes towards Rec. - Insurance Premium below (one-time)	176.44		178.73					

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992		1993		Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET	\$	Increase		
TRAFFIC DEPARTMENT										
COMMERCIAL BOULEVARD PARKING										
Recovery—Insurance Premium (see below) — encroachment insur	10.00	10.00	0%		\$2,130	\$2,040	(\$90)	—	CH48001—75930	
APPROACH APPROVALS										
Processing Fees	16.54	50.00	202%	To be increased to equal the costs incurred. Increased annually by the C.P.I. (G.S.T. extra) Council approved.	\$530	\$1,800	\$1,270	\$1,190	CH44006—75940	
PRIVATE PARKING LOTS										
Processing Fees	46.82	47.43	1%	To be increased annually by the C.P.I. (G.S.T. extra) (Council approved).	\$4,740	\$4,220	(\$520)	\$50	CH44006—75955	
PROSECUTIONS										
Parking — Traffic Court	5.00	5.00	0%		—	—	—	—	CH59160—75020	
— Appeals Court	40.00	40.00	0%							
STATUS INQUIRIES										
	—	40.00	100%	New fee proposed.	—	—	—	\$5,600	CH44XXX—75001	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	TOTAL		TOTAL BUDGET	\$ Increase	Due to Fee Inc.	Account #
	1992	1993			BUDGET	BUDGET				
TREASURY DEPARTMENT										
SUNDRY REVENUE										
Subdivision Compliance Letter	22.00	23.00	5%	Council 11/27/90. " that these fees be increased annually	55,000	58,550	included above	3,550	\$2,450	CH48006-25320
Local Improvement Enquiries	22.00	23.00	5%	annually for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in						
N.S.F. Cheques	15.00	16.00	7%	handling these items".	12,000	13,870		1,870	\$870	CH47105-25320
TAXATION										
Tax Certificates	16.00	20.00	25%	Comparable with other municipalities.	176,000	200,000		24,000	\$40,000	CH45008-25335
Recoveries - Tax Registrations	575.00	585.00	2%	"	43,130	52,650		9,520	\$1,200	CH48003-25335
Prior Year's Tax Analysis	25.00	26.00	4%	Council 10/29/91. "Be increased annually for the rate of inflation rounded to the next dollar".	3,880	920		(2,960)	\$40	CH45010-25335
Multiple Assessment Listing	-	10.00	100%	New fee proposed.	-	-		-	-	CHXXXX-25335
Income Tax Letter	-	10.00	100%	New fee proposed.	-	-		-	\$5,000	"
Paid-In - Full Letter	-	10.00	100%	New fee proposed.	-	-		-	-	"
Hydro Add-On to Tax Roll - administration fee	-	10.00	100%	New fee proposed.	-	-		-	\$5,000	"

**THE HAMILTON ENTERTAINMENT AND
CONVENTION FACILITIES INC.**

MEMORANDUM

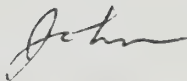
TO: Mr. K. Beattie
Budget Analyst

FROM: J. Leuser, C.A.
Director of Finance and Administration

DATE: November 25, 1992

SUBJECT: HECFI User Fee Schedule - Revised

Attached is a revised HECFI User Fee Schedule which incorporates increases we just finalized on November 23, 1992.



JAL:he

Attachment

c.c. Mr. G. Macaluso, Managing Director/CEO

HECFI USER FEE SCHEDULE
1992/93

REVENUE SOURCE	HAMILTON CONVENTION CENTRE	HAMILTON PLACE	COPPS COLISEUM
Licence Fees & Room Rentals	See Schedule "A"	See Schedule "B"	See Schedule "C"
Event Related Charges			
Staff	See Schedule "D"	See Schedule "E"	See Schedule "F"
Equipment Rental - In-House	See Schedule "D"	See Schedule "E"	See Schedule "F"
Equipment Rental - External	At Cost	At Cost	At Cost
Stagehands	At Cost	At Cost	At Cost
Musicians	At Cost	At Cost	At Cost
Contracted Security	At Cost	At Cost	At Cost
Police	At Cost	At Cost	At Cost
Advertising	At Cost	At Cost	At Cost
Coatcheck	\$1.00 per coat	\$1.00 per coat	\$1.00 per coat
Administration Fee	15% of Cost	5% of Event Charges	5% of Event Charges
Other Service/Purchases	At Cost	At Cost	At Cost
Box Office	See Schedule "G"	See Schedule "G"	See Schedule "G"
Ticket Surcharge (Applied on any tickets over \$15.00)	\$1.00	\$1.00	.50
Food & Beverage Sales	At competitive market prices.		

Commissions Received for the Following Outside Services

Electrical Supply
Equipment Rental
Audio/Visual Rental
Food Concessions
Souvenir Sales
Pay Telephone Commission
Taxi Direct Line
Ticket Agency

Other Revenue

Credit Card Fees	3% of gross ticket sales by credit card.
Display Windows	\$50, \$200, \$225 & \$300 depending on location
Display Advertising	At competitive market prices.
Computer Sign	\$40 per week plus \$20 for each additional week.
Casual Ice	\$303.74 per hour plus \$257.00 for each additional hour.
Private Boxes	\$750.00 per event plus cost of tickets.

Office Rentals	1992	1993
Telav Audio Visual	\$1,362 per year	\$1,403 per year
HARAC	\$9,133 per year	\$9,407 per year
Opera Hamilton	\$2,057 per year	\$2,119 per year
Bach Elgar Choir	\$6,310 per year	\$6,500 per year
Geritol Follies	\$5,448 per year	\$5,611 per year
Double Hitch Enterprises	\$14,500 per year	\$14,644 per year

Assume 3% adjustment for inflation

NOTE: 7% GST will be added to all charges where applicable.

HAMILTON CONVENTION CENTRE
RENTAL FEE FACT SHEET

1992

SCHEDULE "A"

ROOM	8:00 AM TO 5:00 PM	6:00 PM TO 1:00 AM	DAY AND EVENING
FIRST FLOOR			
Wentworth Room (ABC & Concourse)	\$1,500	\$1,500	\$3,000
"Salon A"	\$600	\$600	\$1,200
"Salon B"	\$600	\$600	\$1,200
"Salon C"	\$600	\$600	\$1,200
SECOND FLOOR			
Room 201	\$110	\$110	\$180
Room 202	\$175	\$175	\$275
Room 203	\$140	\$140	\$225
Room 204	\$60	\$60	\$100
Room 205	\$110	\$110	\$180
Room 206	\$115	\$115	\$200
Albion Room (ABC)	\$650	\$650	\$1,200
"Salon A"	\$275	\$275	\$500
"Salon B"	\$275	\$275	\$500
"Salon C"	\$275	\$275	\$500
THIRD FLOOR			
Chedoke Ballroom (ABC & Foyer)	\$2,000	\$2,000	\$4,000
"Salon A"	\$750	\$750	\$1,400
"Salon B"	\$750	\$750	\$1,400
"Salon C"	\$750	\$750	\$1,400
Room 314	\$275	\$275	\$500
Webster Room (ABC & Lounge)	\$750	\$750	\$1,400
"Salon A"	\$325	\$325	\$600
"Salon B"	\$325	\$325	\$600
"Salon C"	\$325	\$325	\$600

NOTE: The above rates may, from time to time, be subject to negotiation in an effort to attract high profile events or where substantial food and beverage revenues may be generated.

HAMILTON PLACE
RENTAL FEE FACT SHEET

1992

SCHEDULE "B"

COMMERCIAL RATES	One Performance	Two Performances	Set-up/ Rehearsal
Great Hall - Main Stage	\$2,100 vs. 11%	\$3,151 vs. 11%	\$1,050
Great Hall - Forestage	\$1,700 vs. 11%	\$2,551 vs. 11%	\$850
Studio Theatre	\$440	\$660	\$220

NOT FOR PROFIT

Sunday to Thursday

Great Hall - Main Stage	\$1,700	\$2,550	\$850
Great Hall - Forestage	\$1,300	\$1,950	\$650
Studio Theatre	\$440	\$660	\$220

Friday to Saturday

Great Hall - Main Stage	\$2,100	\$3,150	\$1,050
Great Hall - Forestage	\$1,700	\$2,550	\$850
Studio Theatre	\$440	\$660	\$220

Meeting Room Rentals \$50.00 per day

NOTE: The above rates may, from time to time, be subject to negotiation in an effort to attract high profile events.

COPPS COLISEUM
RENTAL FEE FACT SHEET

1992

SCHEDULE "C"

Basic Building Fee	\$7,500 vs. 15% of gross ticket revenues
Rehearsal/Move-in/Move-out days	\$3,750 flat fee per day

Trade and/or Consumer Shows requiring the combined use of the arena surface, north exhibition hall, and concourse level will be charged a premium of \$500.00 (per day), above the basic rent.

NOTE: The above rates may, from time to time, be subject to negotiation in an effort to attract high profile events.

HAMILTON CONVENTION CENTRE

Incidental charges for Exhibit, Trade/Consumer Shows



EQUIPMENT

These prices are a one-time charge for a show.

Tables (uncovered)	8' x 2 1/2'	\$8.00 each
	6' x 2 1/2'	\$8.00 each
	4' x 2 1/2'	\$8.00 each
Upholstered Chairs		\$1.50 each
Set-up Charge for Tables and Chairs		\$13.40 per hour
Risers, including skirting	4' x 8' unit	\$50.00 each
Stanchions		\$10.00 each
Easels		\$10.00 each
Coat Racks		\$20.00 each

Rentals are subject to 8% Provincial Sales Tax

LABOUR

Minimum 4 hours

Security Guard	\$10.25 per hour
Porter	\$13.40 per hour
Cashiers	\$10.50 per hour

CLEANING

Vacuuming, dusting, cleaning of ashtrays and emptying wastebaskets

Booths	10' x 10'	\$10.00 per day
--------	-----------	-----------------

All arrangements are to be made in advance

On-site requests will be subject to a 15% surcharge

Additional exhibit cleaning is available	\$12.00 per hour
--	------------------

All prices are subject to 7% Goods and Services Tax and are current and subject to change.



Hamilton
Entertainment
and Convention
Facilities Inc.

c/o 115 King Street West
Hamilton, Ontario L8P 4T9

Please call (416) 546-3000
or fax (416) 522-3380
for further information.

SCHEDULE "E"

HAMILTON PLACE

EVENT SHEET RATES/CHARGES

<u>EVENT STAFF/LABOUR</u>	<u>SEPTEMBER 1992 RATE</u>	<u>COMMENTS</u>
Head Usher/Usherette	\$14.00/hr.	- Minimum 3 hours
Usher/Usherette	\$ 7.50/hr.	- Minimum 3 hours
Ticket Taker	\$ 7.50/hr.	- Minimum 3 hours
Exit Door Staff	\$ 7.50/hr.	- Minimum 3 hours
Security/Police		
- Captain	\$15.25/hr.	- Minimum 3 hours
- In-House	\$11.50/hr.	- Minimum 3 hours
- T-Shirt	\$14.25/hr.	- Minimum 3 hours
- Constable	\$38.00/hr.	- Minimum 3 hours
- Sergeant	\$44.00/hr.	- Minimum 3 hours
Medical Attendant - In House	\$17.00/hr.	- Minimum 3 hours
St. John's Ambulance Staff	\$25.00/Flat Rate	- No Minimum
Other Labour	\$-----	- Provided as required

EQUIPMENT RENTAL/
RENTAL SERVICES

	<u>RATE</u>	<u>COMMENTS</u>
Forklift	\$175.00/unit/day	- Two available, i.e. 1 X 5,000 lb. and 1 X 8,000 lb. - Operator not included
Spotlight	\$115.00/unit/day	- 4 available - Operator not included

COPPS COLISEUM - HAMILTON
 SCHEDULE "J"
EVENT SHEET RATES/CHARGES

<u>EVENT STAFF/LABOUR</u>	<u>JANUARY 1993 RATE</u>	<u>COMMENTS</u>
Event Supervisor	\$28.25/hr.	- Minimum 3 hours
Head Usher/Usherette	\$16.25/hr.	- Minimum 3 hours
Assistant Usher/Usherette	\$15.25/hr.	- Minimum 3 hours
Usher/Usherette	\$10.25/hr.	- Minimum 3 hours
Ticket Taker	\$10.25/hr.	- Minimum 3 hours
Exit Door Staff	\$10.25/hr.	- Minimum 3 hours
Security/Police		
- Captain	\$15.75/hr.	- Minimum 3 hours
- In-House	\$11.75/hr.	- Minimum 3 hours
- T-Shirt	\$14.75/hr.	- Minimum 3 hours
- Constable	\$40.00/hr.	- Minimum 3 hours
- Sergeant	\$46.00/hr.	- Minimum 3 hours
Medical Attendant - In House	\$17.50/hr.	- Minimum 3 hours
St. John's Ambulance	\$25.00/Flat Rate	- No Minimum
Electrician	\$34.25/hr.	- Minimum 3 hours
Carpenter	\$30.25/hr.	- Minimum 3 hours
Maintenance Man	\$19.50/hr.	- Minimum 3 hours
Facility Attendant		
- Set Up	\$15.25/hr.	- Minimum 3 hours
- Cleaning	\$15.25/hr.	- Minimum 3 hours
Message Centre Operator	\$15.25/hr.	- Minimum 3 hours
Other Labour	\$-----	- Provided as req'd
<u>EQUIPMENT RENTAL/ RENTAL SERVICES</u>	<u>RATE</u>	<u>COMMENTS</u>
Stage/Riser	\$.28/sq.ft/ day	- As available - Labour not included
Forklift	\$175.00/unit/day	- Two available, i.e. 1 X 5,000 lb. and 1 X 8,000 lb. - Operator not incl'd
Spotlight	\$115.00/unit/day	- 5 available - Operator not incl'd
Stage Backdrop Curtain	\$115.00/day	- Labour not included
Basketball Floor	\$1,750.00/day	- Labour not included
Security Fence	\$115.00/day	- Labour not included
Basic House Sound System	\$150.00/day	- Operator not included
Scoreboard/Clock System	\$150.00/day	- Operator not included
Organ	\$85.00/day	- Operator not included
Other Materials, Equipment, Services, Etc.	\$-----	- Provided as required

<u>MISCELLANEOUS</u>	<u>RATE</u>	<u>COMMENTS</u>
Utility Charge	\$-----	- s applicable; calculated on actual meter reading during Event of additional kilowatt demand, multiplied by Hamilton Hydro Electric System Demand rate.
Food & Beverage Services	\$-----	- As required
Stage Hands	\$-----	- As required
		- See attached Schedule "K" for IATSE Local 129 involvement.
Ice Surface Removal and Replacement	\$5,000.00	- Must be two day Event or more if ice surface needs to be removed. - Subject to the approval of the Coliseum Director.
Damages	\$ -----	- The Licensee is responsible for any damages to the facility or its equipment on a cost recovery basis.
Administration Fee	\$ -----	- 5% of total EVENT SHEET CHARGES up to a maximum of \$500.00/Event.

SPECIAL NOTES:

- (EXCEPT FOR IATSE), ALL WORK PERFORMED ON STATUTORY HOLIDAYS SHALL BE PAID ONE AND ONE-HALF (1-1/2) TIMES THE BASIC HOURLY RATE.
- ACTUAL EVENT SHEET RATES/CHARGES ARE THOSE IN EFFECT AT THE TIME OF THE EVENT.
- EFFECTIVE January 1, 1993
- REPLACES January 1, 1992

SCHEDULE OF BOX OFFICE FEES

SCHEDULE "G"

1992

HAMILTON PLACE

Great Hall

A flat rate of \$1.400 per performance (includes tickets). This rate is used when we sell the bulk of the tickets.

For community groups where they sell many of the tickets, the rate is 5% of net sales with a minimum of \$200 per performance.

Studio Theatre

5% of net sales with a minimum of \$70 per performance.

COPPS COLISEUM

3% of net sales with the odd show capped.

Minimum on most events is \$540 per performance, however, on statutory holidays or for day long events (trade and consumer shows) the minimum is \$650 per performance or day (whichever is applicable). Should the day long event be on a statutory holiday, the rate would be \$975 per day.

CONVENTION CENTRE Rate is 3% of net sales with a minimum of \$425.

1993

HAMILTON PLACE

Great Hall

A flat rate of \$1.450 per performance (includes tickets). This rate is used when we sell the bulk of the tickets.

For community groups where they sell many of the tickets, the rate is 5% of net sales with a minimum of \$225 per performance.

Studio Theatre

5% of net sales with a minimum of \$75 per performance.

COPPS COLISEUM

3% of net sales with the odd show capped.

Minimum on most events is \$570 per performance, however, on statutory holidays or for day long events (trade and consumer shows) the minimum is \$685 per performance or day (whichever is applicable). Should the day long event be on a statutory holiday, the rate would be \$1,030 per day.

CONVENTION CENTRE Rate is 3% of net sales with a minimum of \$445.

SECTION 10

REVENUE OF THE STATE

ARTICLE 1

A law shall be passed at the next session of the Legislature, to be in force from and after the first day of January, 1901, providing for the collection of the same.

It is the policy of the State to encourage the production of agricultural products, and to that end to exempt from taxation the same for a period of five years from the date of their production.

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